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Volume on the Federal Capital

Chapters 5, 6 and 7

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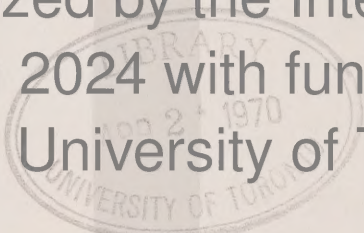
RESEARCH FINDINGS

Fourth instalment

comprising Chapters Five, Six and Seven
and a Concluding Note



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I The Federal Presence in the Capital Area

As we have seen in the preceding chapters, the National Capital Region comprises parts of two provinces - Ontario and Quebec - which exercise their constitutional powers in the Region in much the same way as elsewhere in their respective territories. On the local level, the area is governed by a plethora of municipalities which, like all municipalities, are created by their respective provinces and are answerable to them. What does mark off the Ottawa-Hull area from other metropolitan areas is its position as the national capital, and the rather special interest the federal government has displayed in the area as a result of this.

Notwithstanding its special concern for the area, the government of Canada differs from those of other federal countries such as Australia and the United States in that the Canadian constitution gives no express power to the federal government with relation to the government of its own capital area.¹ It might be noted, however, that certain federal measures to develop the capital have been upheld when challenged in the courts.

1. Professor D.C. Rowat has noted that, of the 15 countries other than Canada that have federal constitutions, 10 have placed the territory of the federal capital in a special relationship with the federal government. Eight of these 10 capitals seem to have preserved some form of local self-government, the only known exceptions being Washington, D.C., and Canberra in Australia. An eleventh country, Austria, has made its capital one of the states of the Austrian federation. See Le Territoire québécois de la Région de la Capitale nationale, prepared by the Conseil économique régional de l'Ouest du Québec (Hull, 1967), Appendix A, pp. 44-45.

However, despite the lack of a special constitutional position and even without any specific action on its part, the federal government simply by operating in the area has had a not inconsiderable impact on the development and character of the Ottawa-Hull region. The scope, degree, and diversity of federal operations are such that it in fact wields a great deal of influence on the local scene. Consider for a moment a partial list of the government's activities in the region:

Through government departments or Crown corporations, the federal government at Ottawa, for example, makes films, prints pamphlets, runs transportation companies, makes radioactive isotopes, operates a gigantic broadcasting system, manufactures explosives, runs a design centre, supervises pipeline corporations, controls atomic energy, mines uranium, plans parkways, acts as a patron for the arts, maintains historic buildings, administers the northwest territories, runs airlines, publishes magazines and operates bookstores.

2

Clearly, not all of these activities directly affect the national capital. Taken together, however, their collective impact lends a particular tone to the area.

One index of the weight of the federal government in the area is the proportion of the local labour market for which it accounts. As we saw in Chapter I, in 1961 the Canadian government was the major employer in the National Capital Region, utilizing as it did the skills

2. W. Eggleston, The Queen's Choice (Queen's Printer, Ottawa, 1961), p. 37.

of some 30 per cent of the local labour force. Indeed, looking at the situation from another perspective, the number of people employed by the Crown was nearly three times the proportion of those involved in the entire manufacturing sector of the area's economy.³

A considerable proportion of the money which the federal government puts directly into the pockets of so large a segment of the working population is spent within the Ottawa-Hull area. In this way, the government indirectly acts as a support of the local service industries. It has also largely determined the rate of expansion of these industries, for while the federal government has grown in response to factors external to the National Capital Region, the local service industries, by contrast, have developed primarily as the government has attracted more and more people to the capital.

Indeed, the economic dependence of the area on the federal government is so pronounced as to lend a note of artificiality to the regional economy. Both the present size and anticipated development of the latter are based, not on the natural riches or strategic location of the region, but on the continued presence and future vigour of the Canadian government. In short, if tomorrow the federal pay cheques were by some chance suddenly cut off, not only would that third of the local labour force directly

3. Chapter I, Table 1.10, page 1.29.

dependent upon them go hungry, but also as much again as a further third of the working population would find their livelihood endangered.

In addition to its role as the region's largest single employer, the federal government occupies the rather interesting position of the area's major land owner. In the realization of two of the more prominent federal projects in the area - the Gatineau Park and the Greenbelt - nearly one hundred thousand acres⁴ were purchased by the Crown.

Within the two major municipalities of the region the extent of federal holdings is, to say the least, impressive. Of the land within the City of Ottawa, approximately 28 per cent is owned outright by the federal government, while in the City of Hull federal holdings account for approximately 25 per cent of the total.⁵

The sheer size of federal holdings is readily apparent; of at least equal significance, however, are the uses to which governmental properties are put. Although much of the federally-owned land within the region is employed in providing parks and recreational facilities, the Crown also owns and leases a large number of buildings.

4. It is worth noting that land is still being bought for these two projects. When complete, the total area of the two combined will comprise approximately 130,000 acres. For a fuller discussion of this topic see *infra*, p. 520.

5. Figures provided by the National Capital Commission.

As we shall see in a later section, their incidence and distribution play an important role in shaping federal-municipal relations.

A third aspect of the federal government's presence in the National Capital Region is its impact on the budgets of local municipalities. All of the many federally-owned buildings require the normal range of municipal services (fire protection, water supply, sewage disposal, and the like). Normal practice is, of course, for the municipalities to collect property and other taxes to pay for these services. This they cannot do, however, in respect to government property as, by section 125 of the B.N.A. Act, it is provided that "no lands or property belonging to Canada or any Province shall be liable to taxation". Although under no obligation to do so, the Government does in fact offer the municipalities some recompense.⁶

Another aspect of the federal presence in the Ottawa area is to be found in the many government institutions that are established in Ottawa simply because it is the capital. These buildings, the most obvious example of which are the Parliament Buildings, are clearly of local importance in relation to the tourist trade. Of more interest, perhaps, to the local population are the national cultural institutions which, although established in the interests of Canadians generally, benefit most directly and continuously the residents of the capital area. The National Gallery, the National

6. For a fuller discussion, see pp. 5.34-5.37 below.

Museum, the National Library and the National Arts Centre, presently under construction, are but some of the more important manifestations of the central government's participation in the provision of cultural facilities.

The federal government is, then, both the major employer and the major landowner in the area. Primarily as a result of the latter role, it figures largely in the affairs of the local municipalities. It also acts as the major provider of cultural and other facilities in the capital. All these activities, however, are the result of the normal day-to-day operations of the federal government.

This is not to say that the federal government has passively watched the development of the nation's capital. On the contrary, despite its lack of an express constitutional relationship with the capital and the consequent need to avoid infringing upon provincial powers, it has long been actively involved in the area. In the following sections the impact of this federal involvement will be described, with the object of answering two major questions, namely:

- (1) What role does the federal government play in the administration of the capital area, or more precisely of the National Capital Region?
- (2) More particularly, what provisions does the federal government make to meet the linguistic and cultural needs of Canada's capital?

The approach will be primarily institutional, that is, the various government agencies will be taken in turn and their role and function in the capital described. Many agencies have no particular interest in the capital beyond that extended to all areas of Canada, and these will not be specially considered. Some have occasionally been called upon to play a special role in the affairs of the capital, while others have a continuing interest in the area as well as other duties. Only one agency is solely concerned with the National Capital Region, namely, the National Capital Commission. We turn first, then, to this Commission and its predecessors, the history of which dates back to the end of the nineteenth century.

II The National Capital Commission

Historical background. Perhaps the primary point to be noted in discussing the historical evolution of agencies working in the capital is that the present activities of the National Capital Commission are not radically different from those of other federal agencies which have preceded it. Although its powers and resources are wider than those of its predecessors, the National Capital Commission, in its concern with the physical setting of the Canadian capital,

is carrying out a federal policy which dates back well over half a century, back in fact to the days of Sir Wilfrid Laurier. As early as 1893, Canada's future prime minister was on record as wishing to see Ottawa become "the centre of the intellectual development of this country,...the Washington of the North".⁷

The Ottawa Improvement Commission, established in December 1899, was the first planning agency in the area. It devoted much of its energies to clearing away the more obvious traces of Ottawa's "sub-arctic lumber village" past. Comprising, as it did, a group of interested, but basically amateur planners and operating on an annual budget of \$60,000,⁸ the Commission did not make many far-reaching changes, though it did accomplish much that is praiseworthy. The basis of the present Driveway system, often considered among the more charming of the City of Ottawa's prospects, dates from this era.

It is worth noting that as the federal government's concern with the capital increased, so were the geographic dimensions of this interest enlarged. Although initially the Ottawa Improvement Commission was almost exclusively concerned with the development of the City of Ottawa, later

7. Quoted in W. Eggleston, The Queen's Choice (Queen's Printer, Ottawa, 1961), p. 155.

8. In 1902 the Commission was authorized to issue debentures up to \$250,000. Its annual budget was twice increased: to \$100,000 in 1910 and \$150,000 in 1917. Sources: J. Harvey Perry, Report on the Financial and Administrative Arrangements in Capitals of Federal Countries (Government Printer, Lagos, 1953), p. 18, and W. Eggleston, The Queen's Choice (Queen's Printer, Ottawa, 1961), pp. 160 and 166.

events suggest the gradual evolution of federal concern for the City of Hull. For example, the Federal Plan Commission, which was set up in 1913, was instructed to:

take all necessary steps to draw up and perfect a comprehensive scheme or plan looking to the future growth and development of the City of Ottawa and the City of Hull, and their environs,... 9

The composition of this Commission also bears witness to the extension of federal interest across the Ottawa river. In addition to the chairman and three other members, the mayors of both Ottawa and Hull were members, ex officio.

Referred to by one authority as "one of the outstanding state documents of Canadian history",¹⁰ the Holt Report - as the Federal Plan Commission's recommendations came to be known - was in many ways far-sighted. However, it appears to have had little immediate effect on federal planning activities in the capital region. The tremendous outlay of energy and money required by the Great War and the reconstruction of the Parliament Buildings after the fire of 1916 combined to sideline this master plan of the capital. As a result the Ottawa Improvement Commission appears to have continued much as it had before until it was replaced by a new and more powerful federal planning body, the Federal District Commission, in 1927.

9. Quoted in W. Eggleston, The Queen's Choice (Queen's Printer, Ottawa, 1961), p. 167.

10. Ibid., pp. 167-168.

The Federal District Commission was the chief vehicle for the expression of federal interest in the capital area, until it was reconstituted in 1959 as the National Capital Commission. Perhaps the most interesting aspect surrounding the establishment of the Federal District Commission was the explicit recognition by the government of the day that its interests extended beyond the boundaries of the City of Ottawa. "The purpose", MacKenzie King told the Commons, "is not to confine the work of the Commission to the City of Ottawa, but to include the suburbs of the city and the City of Hull across the way".¹¹ As its expanded powers, dating from 1934, stipulated, the Commission was responsible for "landscape construction and maintenance of all federal properties in the capital area".¹² Partly in recognition of the agency's enlarged purview, membership of the Federal District Commission was established at ten,¹³ one of whom was to be a resident of Hull.

The Commission began its operations in 1927 with an annual grant of \$250,000, that is, \$100,000 more than the Ottawa Improvement Commission had received. However, a year after its inception, the grant was reduced to \$200,000 in return for the provision of an immediate capital sum of \$3,000,000.¹⁴ More than half this amount was used to

11. House of Commons, Debates, April 6, 1927.

12. W. Eggleston, The Queen's Choice (Queen's Printer, Ottawa, 1961), p. 176.

13. The Ottawa Improvement Commission had begun its existence with four members, but had had this figure doubled in 1902.

14. W. Eggleston, The Queen's Choice (Queen's Printer, Ottawa, 1961), p. 173.

purchase the site of what was to become Confederation Square, the remainder being spent to extend the Driveway system.

The pressures of World War II, the demand for office space and accommodation, the inability of the Commission to cope with the situation, and most important, the increasingly chaotic financial relationship between the federal government and the City of Ottawa,¹⁵ all led to the 1944 Joint Parliamentary Committee of Inquiry. The most important result of this Inquiry related, not to town planning, but to federal-municipal financial relations. After hearing the arguments both for and against increasing federal financial assistance to the City of Ottawa, the Committee recommended that the annual federal grant for municipal services be increased from \$100,000 to \$300,000 for a period of five years. It went on to suggest that the matter then be again reviewed. In 1951 emerged the Municipal Grants Act which attempted to regulate, on a more orderly basis than the purely ad hoc, the central government's financial arrangements with those municipalities like Ottawa possessing concentrations of federal property.

Although the Joint Committee was primarily concerned with financial questions, it appears to have led to other

15. During the war years a number of "temporary" federal buildings (some of which are still extant in 1967) as well as many permanent structures were put up. As the City of Ottawa was obliged to provide the municipal services they required, yet could not constitutionally collect taxes on them, it found itself in an increasingly difficult financial position.

changes relating directly to the growth of the Federal District Commission. In 1945 came the delineation of the area to be known as the National Capital District. As defined at this time it encompassed approximately 900 square miles, of which 536 square miles were in Quebec and 364 in Ontario. In whole or in part, the territories of some 28 municipalities fell within the District.¹⁶

Several crucial changes in the powers and structure of the Federal District Commission took place the following year. The newly defined capital area was brought within the purview of the Commission. It was also given the power to co-ordinate all construction and development on Crown owned land within the District. Further, the annual grant of the Commission was increased to \$300,000 and capital expenditures of up to \$3,000,000 were authorized.¹⁷ It might be noted that two years later, in 1948, the financial powers of the Federal District Commission were again strengthened with the creation of the National Capital Fund. Twenty-five million dollars were made available through the Fund, in ten annual grants.¹⁸

Just as important were the changes which took place in the structure of the Commission. In 1944, the Joint Parliamentary Committee had recommended "that the powers of the Federal District Commission be increased, and its

16. J. Harvey Perry, Report on the Financial and Administrative Arrangements in Capitals of Federal Countries (Government Printer, Lagos, 1953), p. 20.

17. Ibid.

18. W. Eggleston, The Queen's Choice (Queen's Printer, Ottawa, 1961), p. 250.

personnel be enlarged to include, not only representatives¹⁹ of the Ottawa area, but of the people of Canada as a whole". Accordingly, in 1946, the membership of the Commission was expanded to nineteen, among whom were to be representatives of each province.

Finally, 1946 also saw the creation of a formal planning organization, the National Capital Planning Committee, whose purpose was "to draw up a master plan of the National Capital District".²⁰ Designed to function in conjunction with the Federal District Commission, the Planning Committee counted some 23 members. The Commission appointed twelve, and its Chairman held membership ex officio.²¹ Mr. Jacques Gréber was named as consultant to the Committee.

The 1950 publication of the Master Plan for the National Capital (or Gréber Plan), coupled with the changes which took place in the preceding five years, radically expanded the functions of the Federal District Commission. The Commission outgrew its previous history as a glorified parks commission and rapidly became both the custodian and chief agent in the gradual realization of the Master Plan. Yet it was soon to undergo another transformation.

In 1956 a second Joint Parliamentary Committee of Inquiry on the capital was instituted. As an outgrowth of its deliberations the National Capital Act received assent on September 6, 1958, and was proclaimed on February 6, 1959.

19. Ibid., p. 183.

20. Ibid., p. 185.

21. Ibid.

This legislation established a modified and financially strengthened version of the Federal District Commission, to be known as the National Capital Commission. Also, the National Capital District was officially re-christened the National Capital Region and its area enlarged from 900 to 1800 square miles, the larger portion of which (1,050 square miles) now lay in Ontario.

The twenty commissioners of the National Capital Commission are appointed by the Cabinet and hold office - during pleasure - for a period not exceeding two consecutive terms of four years. The method of selection is clearly stipulated. At least one member is to be appointed from each of the ten provinces; two from the City of Ottawa; one from the City of Hull; one from a local municipality in Ontario other than the City of Ottawa; and one from a local municipality in Quebec other than the City of Hull. The Chairman and Vice-Chairman of the Commission are appointed directly by the Cabinet rather than elected by their fellow members.

One point is worth noting in regard to the selection of Commissioners. The formal ties between the federal agency and the municipalities are less evident now than they were prior to 1959. Since the days of the Ottawa Improvement Commission the City of Ottawa had had the right to appoint a member to the Commission. In 1946 this right had been extended to the City of Hull. In practice the two mayors were appointed to represent their

respective cities. However, the National Capital Act removed this power and required simply that "at least two members [shall be appointed] from the City of Ottawa" and "at least one member from the City of Hull".²² It has been suggested that this change was primarily due to the desire to avoid the friction that existed just prior to this time between the Mayor of Ottawa and the Chairman of the Commission.

Purposes and Powers of the National Capital Commission. The primary purpose of the National Capital Commission is the development of the federal capital. More specifically, the National Capital Act provided that:

The objects and purposes of the Commission are to prepare plans for and assist in the development, conservation and improvement of the National Capital Region in order that the nature and character of the seat of the Government of Canada may be in accordance with its national significance.²³

The National Capital Commission's role as a planning agency underlies these words. The listing under s.10(2) of the Act of the Commission's powers shows more clearly the kinds of operations in which the Commission is involved. Thus the Commission is authorized, for the purposes of the Act, to acquire, hold, administer or develop property,²⁴ and

22. National Capital Act, s.3(3).

23. S.10(1).

24. Besides maintaining and improving its own property, the Commission may also manage other governmental property at the request of the authority or Minister in charge.

also to dispose of property. The National Capital Commission's power to acquire and dispose of property is subject to the approval of the Governor in Council in certain instances. The Commission may construct, maintain and operate parks, highways, bridges, buildings and other works as well as places of public interest or accommodation such as recreation and refreshment centres. It may also administer historic sites and conduct research in connection with the planning of the National Capital Region. Finally, a general grant of power enables it to "do and authorize such things as are incidental or conducive to the attainment of the objects and purposes of the Commission and the exercise of its powers".

The National Capital Commission acts as co-ordinator in the development of public lands. Obviously if each government agency went its own way in the development of its property the result would be a capital of inharmonious aspect, to say the least. To avert this possibility the National Capital Act requires that all departmental proposals for the location, erection, alteration or extension of a building or other work in the National Capital Region be submitted to the National Capital Commission and its approval obtained prior to the commencement of the work. Moreover, non-governmental agencies or individuals who wish to erect, alter or extend a building or other work on Crown-owned land within the National Capital Region must also obtain

the National Capital Commission's permission to do so. While the Governor in Council may overrule a Commission decision not to grant approval to the plans submitted to it, federal government property in the capital is submitted to the discipline of over-all planning.

However, the federal government does not own all or even most of the land within the National Capital Region. While Parliament can call upon the National Capital Commission to co-ordinate the development of government land, it has been unable to give the Commission any authoritative voice in the planning of the National Capital Region as a whole.

It should be borne in mind that, for most purposes, constitutional jurisdiction over town planning falls within the provincial domain. Although anyone or any agency may draw up a plan, it can only be realized - if it is in the public domain - through powers which find their source in the provincial, rather than the federal, grant of powers. The National Capital Plan, though accepted by the Parliament of Canada, has no official status vis-à-vis the National Capital Region. As Mr. Justice Gibson has observed:

The adoption of the Master (Greber) Plan by the National Capital Commission has no legal effect on lands in the National Capital Region...

But, in contrast to this, such is not the case when a municipality enacts an "official plan" under The Planning Act [of Ontario]. For example, section 20 of

that Act provides that no re-development (...) shall be approved by the Municipal Board unless it conforms with the Official Plan. It is also provided in section 15(1) that where an official plan is in effect in a municipality no public work shall be under- 25 taken that does not conform therewith.

The nub of the matter is that the National Capital Commission has no legal authority to realize its plans unless they are being executed on land owned by the agency or by the federal government. The Commission can approach the municipalities, attempt to sway them to the merits of its case, offer financial aid, even assistance in drawing up the highly technical zoning by-laws required, but unless the municipalities agree, it has no power to act on its own - unless it owns the land on which the project is to be carried out. 26

We discussed earlier in this chapter the federal government's role as the largest single landowner in the region. We come now to a major reason for its massive holdings: under present arrangements there appears to

25. Gibson J., National Capital Commission v. Munro, Exchequer Court, April 28, 1965, pp. 46-47.

26. The most obvious way around this bottleneck would be for the municipalities to adopt the Gréber Plan as their own official plan. As of April 1965 suggestions to this end had met only a resounding silence: "... except for streets and certain parks, neither the Townships of Gloucester and Nepean nor the City of Ottawa has adopted an official plan under The Planning Act, although each of these municipalities was invited to adopt the Master (Greber) Plan...as their respective official plan under The Planning Act. In the province of Quebec, also, there has been no adoption of the equivalent of any so-called "official plan" or the Master (Greber) Plan...in so far as the lands of the Province of Quebec within the National Capital Region under the National Capital Act are concerned". Ibid.

be no other way in which the central government, insulated²⁷ as it is from the local municipalities, can exercise some degree of control over land uses in the National Capital Region. Because of its lack of legal authority in matters pertaining to the realization of the Master Plan, particularly in relation to zoning, the federal government, through the National Capital Commission, has resorted to the purchase of large parcels of land. This has not been an inexpensive approach to the problem.

Compared to the days in which the Ottawa Improvement Commission functioned on an annual grant of \$60,000, the National Capital Commission's resources are truly vast. For example, the total expenditures of the Commission for the year ending March 31, 1966, were \$29.3 millions.²⁸ During the twenty years following 1946, the National Capital Commission and its predecessor, the Federal District Commission, have spent in total \$156. millions on developing and improving the National Capital Region. About 65 per cent of this amount (or \$100.4 millions) was used to acquire property or to pay interest charges on the loans needed to acquire property. In contrast, during the same period, Commission expenditures on "assistance to municipalities, construction projects and grants for sewers and water mains" totalled some \$13.4 millions.²⁹

27. To employ Professor Eggleston's term. On this point see The Queen's Choice (Queen's Printer, Ottawa, 1961), pp. 181-83.

28. National Capital Commission, Annual Report, 1965-1966, Part 2, p. 17.

29. Ibid., pp. 18-19. For a more detailed listing of Federal District Commission-National Capital Commission expenditures, see Appendix 5.I.

Clearly, much of this hundred million dollars was spent on projects which normally require the public purchase of private holdings, such as the acquisition of land for the Queensway, or on lands for future government use. A significant amount, however, was spent on projects whose primary aim was, in a sense, "defensive". Many properties were bought because the maintenance of large tracts of land in a natural state, as called for by the Master Plan, could only be insured by actually buying up the land.

A glance at the two major projects of this type, the 88,000-acre Gatineau Park and the 41,000-acre Greenbelt, is revealing. From 1947 to 1966 the National Capital Commission spent approximately \$40 million - or close to 30 per cent of its total development expenditures budget - on the acquisition of land in these two areas. This figure highlights the manner in which the financial resources of the agency have been employed to compensate for the Commission's lack of jurisdiction over land use in the National Capital Region.

Finally, it appears that the National Capital Commission's property acquisition policy, though past its peak, will continue to exercise an important influence on its expenditures for some time to come. Of the approximately 88,000 acres in Gatineau Park, the Commission owns some 68,000.

Of the remaining 20,000 acres, roughly 10,500 are owned by the Province of Quebec, the rest being in private hands. Similarly, federal holdings amount to about 33,000 acres in the Greenbelt, though the latter will eventually comprise some 41,000 acres.³⁰

Besides the power of the purse, the National Capital Commission is also able to acquire land by way of expropriation. Section 13 of the National Capital Act provides that "the Commission may, with the approval of the Governor in Council, take or acquire lands for the purposes of this Act without the consent of the owner..." The section goes on to make provision for the compensation of expropriated land-owners.

The Commission has used its right to expropriate where necessary when other means of acquisition are not open, but in doing so it appears to have paid an intangible but very real price in terms of public sympathy. On the one hand, there is appreciation for the many fine works with which the National Capital Commission has enriched life in the region; on the other, there is the feeling, justifiable or not, that the Commission operates as a law unto itself, more concerned with the monumental than the human.³¹ Much of this latter sentiment can be traced directly to the Commission's expropriations. Indeed,

30. These figures, provided by the National Capital Commission, are for holdings as of May 1967.

31. As this interpretation is based primarily on newspaper articles it is quite possible that it does not completely mirror underlying attitudes of the local residents. It does, however, reflect those articulated by and in the local press.

the National Capital Commission has just emerged recently from a major legal challenge (Munro versus National Capital Commission) as to the validity of its right to expropriate, which was carried to the Supreme Court of Canada and which may prove a decision of some importance.³²

The courts had been called upon to determine whether it is within the powers of Parliament to authorize the establishment of a Green Belt within the National Capital Region. Munro contended that such authorization could only be given by the provincial legislature, as under the B.N.A. Act the provinces were assigned the power to legislate on property and civil rights in the province. The Supreme Court, however, held that while the National Capital Act incidentally affected property and civil rights, its primary purpose was to develop the National Capital Region, and as such was within the legislative competence of the federal Parliament. The Court held that the grant of powers of expropriation to the National Capital Commission was a valid exercise of that legislative competence. Speaking for the Court, Mr. Justice Cartwright stated:

I find it difficult to suggest a subject matter of legislation which more clearly goes beyond local or provincial interests and is the concern of Canada as a whole than the development, conservation and improvement of the National Capital Region in accordance with a coherent plan

32. Munro v. National Capital Commission: in which a Supreme Court of Canada judgment (pronounced on June 28, 1966) upheld the April 28, 1965, Exchequer Court decision which had found in favour of the Commission.

in order that the nature and character of the seat of the Government of Canada may be in accordance with its national significance. 33

Although the potential implications of this decision may be very broad, the immediate result of the Supreme Court judgment appears to be simply the ratification of the Commission's right to expropriate. Yet this power, as well as that of the National Capital Commission to acquire property by other means, represent fundamentally a federal attempt to bridge the cleavages created by divided jurisdictions. At the present time, the National Capital Commission, in its efforts to realize the goal of a fitting capital for Canada, must work in areas which can only be approached indirectly by the federal Parliament.

Although a right to expropriate - subject to Cabinet approval - belongs to the National Capital Commission legally, political considerations have limited this power to some extent. Historically, the Federal District Commission was considerably more reluctant to expropriate land in Quebec than in Ontario. One important reason was the view of the former province - which dates back to the days of Premier Maurice Duplessis - that the Commission's power to expropriate, though admitted for roads and buildings, did not extend to parklands. In view of this attitude and the

33. Cartwright J., Munro v. National Capital Commission, p. 8.

34
 opposition encountered, the National Capital Commission's predecessor appears to have decided that discretion is the better part of valour. According to the brief submitted by the Federal District Commission to the 1956 Parliamentary Inquiry:

Expropriations are being carried out in the Province of Ontario but the Commission has not expropriated property in the Province of Quebec since 1949. 35

Although expropriations were carried out on the Quebec side in the post-1956 period, this sensitivity appears to have persisted. Early in 1966, a Member of Parliament from a local riding asked whether the National Capital Commission had been instructed to halt expropriations in Quebec. The answer, read in the House on February 2, 1966, is illustrative both of this sensitivity and of the ties which bind the National Capital Commission to the Cabinet. The statement read as follows:

On August 23, 1963, during the temporary absence of the Chairman of the National Capital Commission, an informal request was made from the Minister [of Public Works] to the Commission asking it to temporarily withhold further requests for authority to expropriate in the Province of Quebec until further instructions were given. On April 16, 1964, instructions were given that the National Capital Commission could feel free again to seek authority to expropriate properties in Quebec as the need arose. 36

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34. Thus at one time there was talk that the late Mr. Duplessis would aid any Quebec resident who challenged in the courts the Federal District Commission's power of expropriation.
35. Minutes of Proceedings and Evidence, p. 59.
36. House of Commons, Debates, February 2, 1966, p. 575.

Under the present scheme of things, the power to expropriate privately held land remains an important instrument of federal capital development.

[Quote some figures here to illustrate]
- to be supplied later by NCC.

Yet it is well to remember that expropriation is not a popular instrument, and that much of the present mistrust and unpopularity of the National Capital Commission may probably be traced to its possession and use of the power of expropriation. This takes us back to the central dilemma of the federal government in the capital area: its lack of authority to carry out its policy of developing and improving the capital. The federal government can carry out this policy only on lands which it owns, and the acquisition of such lands requires a frequent resort to expropriation. The only visible alternatives to this rather unpopular system are either a federal authority which would have virtually no power at all over its own seat of government, or the establishment of some new relationship between the federal government and the capital area.

Language Usage. As the preceding paragraphs have indicated, the National Capital Commission is very actively involved in the day-to-day life of the capital area.

It follows, then, that its practices in regard to language usage will create a significant impression of the capital as either a unilingual or a bilingual area, and this impression will be implanted in residents and visitors alike.

In order to see the present in perspective, a brief glance at some of the linguistic practices of the National Capital Commission's predecessor is of value. The impression which one gathers today is that the Federal District Commission was not particularly sensitive to the linguistic implications of its work in the capital. According to the testimony of the Chairman of this body before the 1956 Joint Parliamentary Committee of Inquiry, the Commission was at that time just beginning to employ bilingual road signs. This policy, however, was being realized only on the Quebec side of the Capital Region as it was felt that the signs should be kept in harmony with those of the local municipalities.³⁷

The general consensus of the Committee was distinctly against this policy and in favour of the same treatment being accorded both official languages throughout the Capital area. Indeed, the parliamentarians ultimately recommended in their report to Parliament that:

37. Minutes of Proceedings and Evidence, see especially pp.171-175. Indeed, according to one M.P. from the area, the signs had been, at least for a time, in English only throughout the Region. It should be noted, however, that the Federal District Commission was not then a completely unilingual agency. There seems to have been provision for the dissemination, in French and in English, of information on the activities of the Commission.

In keeping with the character of Canada,...all literature, signs and advertising of the Federal District Commission be bilingual. 38

The Commission accepted this recommendation as policy, but it would appear that some eight years elapsed before it was implemented actively and positively with respect to signs. The September 16, 1964, edition of the Ottawa Journal carried an article which read, in part:

The National Capital Commission started last week to implement a new written policy which will ultimately result in all its signs being posted in French and English.

At present,³⁹ the National Capital Commission seems to be distinctly more aware of the capital's linguistic needs than was its predecessor a decade ago. Incoming correspondence in either English or French is always answered in the same language. Public notices of the National Capital Commission are issued in both French and English. Of the four types of forms available in the Commission's Ottawa offices for use by the public, three are either available separately in each language or bilingual. Similarly, all publications of the National

38. Ibid., p. 1054.

39. It should be noted that much of the following analysis is based on data supplied by the National Capital Commission in the summer of 1965.

Capital Commission appear to be either bilingual, or available separately in both official languages.⁴⁰

The same recognition appears to be accorded to both official languages in regard to the signs of the Commission. According to the information supplied by the Commission these appear in French and English.⁴¹ Indeed in this respect much of whatever visual bilingual image the Ontario portion of the National Capital Region possesses today is due to the work of the National Capital Commission.

In its direct relations with the public, the Commission is able to give service in either language, though an occasional time lag between the request and the response appears likely for French-speaking citizens, given the present distribution of bilingual personnel. Of the 28 National Capital Commission employees whom it classified in 1965 as "in contact with the public", 12 spoke both official languages. No unilingual French employees in this category were reported, the remaining 16 speaking English only.

40. Although the data supplied by the Commission would suggest that one of its publications - the Statistical Review with Explanatory Notes, National Capital Region - was available in English only in 1965, a French language edition existed in the autumn of 1966.

41. This includes both traffic and parking signs on Commission roadways, as well as those in evidence in the offices (e.g., building directories and indications on doors) of the Commission. Personal observation suggests that some unilingual English traffic signs still exist in 1967.

In the Commission's contacts with local municipalities, the predominant language appears to be English. For its discussions with French-speaking municipal representatives, however, the Commission seems to have available an ad hoc interpretation service. To quote from a statement given by a National Capital Commission official in the summer of 1965:

Lors de certaines rencontres avec les municipalités environnantes, le secrétaire se fait l'interprète des participants qui veulent s'exprimer en français et cela semble satisfaisant.

It would appear that not all French-speaking citizens share the National Capital Commission's satisfaction with this type of arrangement. During the course of an interview carried out late in 1965, one prominent politician from the area complained that English had to be employed during meetings with the National Capital Commission officials.

The pattern of language usage in the internal work world of the National Capital Commission itself appears to be markedly different from that sketched above. Although French-language correspondence is answered in French the replies are usually - though not invariably - first drafted in English and then translated. Further, French-language documents and incoming correspondence are translated into English before being filed. The same pattern holds true

with regard to the internal forms of the Commission. English is clearly "la langue prioritaire". Of the 22 types of documents which were classified as "internal forms"⁴² only three were either bilingual or available separately in either language. The remaining 19 were available in English only. No unilingual French documents were reported.

42. Defined as "any form which must be filled in by a civil servant".

III Other Federal Agencies

Along with the National Capital Commission, two other agencies play major roles in the Ottawa-Hull area. These are the Department of Public Works and the Department of Finance. Clearly these two differ from the Commission in that the primary orientation of these departments as a whole is not towards the capital as such. Public Works, for instance, participates in the construction of roads, bridges and marine works throughout Canada. While it might be involved in such operations in the Ottawa region, it is by no means performing a function peculiar to the capital. However, both departments contain within them divisions which do play a special role in the affairs of the Ottawa area.

The Department of Public Works. This Department is the agency responsible for providing the necessary physical structures of the federal administration. As much of the physical "plant" of the federal government is in the Ottawa area, this function is far from being an unimportant one. During 1966 the Department was re-organized on a geographic basis, with the result that from April 1967 one of the six new territorial divisions is devoted to the National Capital Region affairs alone, with the other five taking charge of the Atlantic, Quebec, Ontario, Western and Pacific regions. For the Public Works Department the National Capital Region division extends over considerably more territory than does the National Capital Region of the National Capital Commission, and includes some 11 counties or

42A

districts in Eastern Ontario and four in Western Quebec. The vast bulk of its operations, however, lies in Ottawa and Hull.

Perhaps the most important Public Works activity - at least in terms of its impact on the development of the capital area - is its role in the construction of public buildings. In general, it is the Department of Public Works which evolves the plans, chooses the site, and finances the construction, of federal buildings. The choice of site is subject to National Capital Commission approval. The affected agency is also consulted,^{42B} though in cases of disagreement it is generally the Cabinet which decides.

In addition to its role in the construction of government buildings, the Department of Public Works is responsible for their maintenance and operation in the post-construction period. While the National Capital Commission looks after the grounds surrounding the building, it is Public Works which must maintain the building and provide such services as are required. As an example, elevator operators in federal buildings are Public Works employees.

42A. Specifically, the region comprises the electoral districts of Glengarry-Prescott, Stormont-Dundas, Leeds, Grenville-Carleton, Ottawa-Carleton, Lanark and Renfrew, Renfrew North and urban Ottawa in Ontario; Hull, Gatineau, Pontiac and Témiscamingue in Quebec.

42B. Ministers have been known to object strongly to the proposed location of their departments. A case in point was the insistence of the Minister of Northern Affairs that his department retain its mid-town location and not be moved out to a new building in Confederation Heights (Ottawa Journal, February 2, 1966). Although Public Works' plans were here overridden, this is not always the case. The Department of External Affairs, for example, will be moved to Sussex Drive despite its Minister's protests to Public Works (Ottawa Citizen, November 16, 1965).

These two functions alone give rise to very considerable federal expenditures in the capital area. During the fiscal year 1967-68 it is estimated that the expenditures for construction, repairs and improvements of public buildings in Ottawa and Hull alone will amount to about \$26 million or 54 per cent of the total for Canada of \$48 million. Similarly, departmental expenditures for the maintenance and operation of public buildings in 1967-68 are expected to amount to approximately \$36 million out of a total for Canada of \$85 million. This amount includes an estimate of \$14.6 million for rental of leased space in the Ottawa-Hull area.

A third aspect of the Department's impact on the capital area is its contribution, along with the provincial and municipal levels of government, to joint projects not primarily concerned with the governmental aspects of this region, such as the Queensway, a multi-lane highway crossing Ottawa from East to West, and the Macdonald-Cartier bridge linking Ottawa and Hull.

It should be emphasized that the National Capital Commission, as co-ordinator of federal development, and Public Works, as builder of the federal "plant", cooperate closely with each other in joint federal-provincial-municipal undertakings as well as in federal building development. While their differing roles lead to somewhat different perspectives and while the two organizations are administratively distinct, both have a common focus in being answerable to Parliament through the same Minister. As a result of this combination the Minister of Public Works occupies a very central position in the relations of the federal government with the land, people and institutions of the capital area.

The Department of Finance. The part played by the Department of Finance in the development of the capital is more specialized than that of the Department of Public Works. Strictly speaking, the agency involved is one small section of the Department, its Municipal Grants Office. This body administers a programme of annual federal grants in lieu of municipal taxation on federal properties located in municipalities across Canada.

As noted earlier, s.125 of the B.N.A. Act exempts federal property from taxation. Over the years, however, the financial burden imposed upon municipalities containing concentrations of tax-free property has been relieved by the federal government in the interests both of equity and of adequate provision of services by the municipalities. This relationship was formalized on a general basis for all municipalities in Canada with the passing of the Municipal Grants Act in 1951.^{42C}

As the Act stood in 1951, it was designed to alleviate the position of municipalities with large concentrations of federal property rather than of those with only a few federal buildings. Thus the Act stipulated that grants would only be paid to those municipalities where government property formed at least four per cent of the total property in the municipality. In 1955 an amendment to the Act increased the number of municipalities eligible for a grant by providing that grants would now be paid to any municipality in which federal holdings stood in a ratio of two per cent to the non-federal

^{42C}. Before this date the City of Ottawa had been the recipient of federal grants under the Ottawa Agreement Act of 1944. The federal government had also made payments, extending back as far as 1877, for specific services provided by the City, such as water supply to federal properties.

property. Finally, in 1957, a further amendment removed all such restrictions: every municipality containing federal property could apply for a grant.

Several points about the Municipal Grants Act are worth noting. First, although the Act authorizes the payment of grants in lieu of taxes on federal property, not all federal possessions come within the provisions of the Act. Non-agency Crown corporations, such as Canadian National Railways, Air Canada, Bank of Canada and Canada Council, pay standard municipal taxes as if they were not federal institutions. For the agencies coming under the Act, certain classes of property are not eligible for grants, although these would also be exempt from direct taxation if not owned by the Crown. Parks, historical sites, monuments, museums, public libraries, and art galleries fall under this category. The Parliament Buildings are similarly exempted, although a grant "may be made to the City of Ottawa in an amount that, in the opinion of the Minister [of Finance], is a reasonable compensation for the expenses incurred by that city in furnishing services to the property".^{42D} On the other hand, it might be noted that, under the Act, grants are paid on certain kinds of federal property which would not be subject to municipal taxation if owned by a body other than the Crown (for example, military hospitals, schools, chapels, fire halls, and sewage treatment plants and installations).

42D. Municipal Grants Act, s.9.

We may also note the discretionary nature of grants made under the Municipal Grants Act. Although the Act does provide a fairly clearly defined means by which grants may be made, it explicitly precludes recognition of any claim that municipalities have a right to grants in lieu of taxes. Section 4(2) states bluntly that "no right to a grant is conferred by this Act". Moreover, the discretionary power granted the Minister of Finance is very broad. The municipalities appear to have, legally at least, no voice in determining either the taxable value of federal properties or the rate of tax on which the grant is to be calculated. In both of these cases, and indeed throughout the process by which the actual sums to be paid are determined, it is "the opinion of the Minister" which is decisive. In this respect the wording of section 4(1) which authorizes the payment of grants is illuminating:

Where... a municipality applies
for a grant, the Minister may,
in his discretion,... make a grant
to the municipality in respect of
federal property situated therein...

Although, as we have said, grants are now paid on federal property across Canada, the concentration of government holdings in the capital area is such that the City of Ottawa receives by far the largest grant of any municipality in the country. The figures suggest that, of the total amount paid out by the federal government in municipal grants in 1964 and 1966, roughly one fifth went to the City of Ottawa alone in each year.

The second largest grant - that to Halifax in 1964 and that to Montreal in 1966 - amounted to only 30 and 42 per cent respectively of the payments to the City of Ottawa for the year concerned. Understandably the municipal grant figures largely in the Ottawa budget. Depending on which categories of federal payments are included, an estimated 10 to 15 per cent of the City's income comes from this one federal source alone.

Other channels of federal influence. While three agencies - the National Capital Commission, the Department of Public Works and the Department of Finance - have considerable impact in the capital area, several others play some part in the life of the capital and thus contribute to the overall image which the federal government presents to the resident or visitor. As examples, the Royal Canadian Mounted Police polices federal property; the Department of the Secretary of State is responsible for many of the cultural facilities of the capital; and the Department of Transport operates Ottawa International Airport and the Rideau Canal.

One further agency which merits particular attention is the Central Mortgage and Housing Corporation. Although the activities of the Corporation in the capital area do not appear to be radically different from its operations elsewhere, it is of some interest to note that the Corporation (or that part of it dealing with the region)

has been used on certain occasions in the past as a vehicle for the implementation of federal policies concerned with the development of the capital.

One case had to do with the Greenbelt. In the early 1950's, developers and individual home builders began to move into that area south of Ottawa which Jacques Gréber's Master Plan had suggested remain in an undeveloped state. Since large-scale residential development of the area would have precluded the establishment of the Greenbelt, the government in 1956 instructed the Corporation not to approve loans for construction by private owners within the designated area.⁴³ This undoubtedly impeded the spread of housing on land designated to remain in its natural state, although not yet owned by the federal government.

The involvement of the Central Mortgage and Housing Corporation in another instance was less explicitly linked to the federal plan for the capital than its part in the development of the Greenbelt. It does, however, provide a good example of how the Corporation is being used towards the furtherance of broad federal aims within the complicated jurisdictional structure of the capital area.⁴⁴ The case in point is the role played by the Corporation in helping to clean up the Ottawa river.

43. Joint Committee of the Senate and House of Commons on the Federal District Commission, Minutes of Proceeding and Evidence, 1956, pp. 296-297.

44. Three further illustrations of federal-municipal relations in general may be found in Appendix 5.III. The second of these, dealing with the Lower Town East Urban Renewal issue, provides another example of the Corporation at work.

In the early 1960's provincial pressure was applied to the City of Ottawa - which for years had been dumping its sewage directly into the river - to construct a sewage treatment plant. When the municipal authorities proved unheeding, Ontario refused to allow the City to extend its sewer and water systems. As the City was undergoing a period of rapid construction expansion a great deal of pressure was generated by local developers. At the same time, the federal government, via the National Capital Commission, allocated a \$5,000,000 grant and made available through the Central Mortgage and Housing Corporation, a low interest loan which provided for a \$2½ million rebate if the plant was built within a specified time. With this combination of provincial stick and federal carrot, the plant was constructed and a major source of pollutants eliminated.

Apart from the agencies discussed so far, the nature of whose powers and duties is clearly defined by statute or otherwise, there exist two other federal institutions that deserve consideration here. Both the Cabinet and the House of Commons, whose interests are far-reaching, concern themselves with the federal capital from time to time and in various ways as they see fit.

The National Capital Region is not normally an area of interest for the Cabinet as a whole, but rather the Cabinet's interest varies with individual Cabinet posts and individual ministers. The two major Cabinet posts

vis-à-vis the National Capital Region seem to be those of the Prime Minister and the Minister of Public Works. The Prime Minister is influential not only because of his own position within the Cabinet, but because of the historic links which existed between the Ottawa Improvement Commission and Federal District Commission and the office of Prime Minister. It was only after the Joint Parliamentary Inquiry of 1956 that the federal planning agency ceased to report to Parliament through the Prime Minister, it now being under the supervision of the Minister of Public Works.

The Cabinet may make its influence felt indirectly through Crown agencies. Examples already cited are the practices of the National Capital Commission with regard to its expropriation power and the intervention of the Central Mortgage and Housing Corporation in maintaining the Greenbelt area south of Ottawa.

The Cabinet may also exercise a direct influence on the activities of local institutions. An illustration is the project for an Ottawa civic centre. In 1965 the federal government was asked by the city authorities if financial aid for such a project might be forthcoming. The Prime Minister offered such assistance, contingent on a provincial grant, and also carrying a condition that federal timetables on construction starts be met.⁴⁵ This condition was part of the government's attempt to counter

45. Ottawa Citizen, September 15, 1965, "Million for City".

inflationary pressures in the construction industry. Differing priorities⁴⁶ on the federal and municipal levels were subsequently resolved in an agreement that the project could proceed more quickly provided that other capital projects of equivalent value be postponed.⁴⁷ The provincial government then furnished the required provincial grant to complete the financial foundation of the project.⁴⁸ Thus through the participation of the federal Cabinet and the Prime Minister,⁴⁹ considerable aid was contributed to a project of great local significance.

Members of Parliament have also influenced the development of the capital. Of prime importance in shaping the present context of federal-municipal relations have been the joint parliamentary committees of inquiry. The Municipal Grants Act, the legal context within which grants in lieu of taxes are made to the municipalities, is largely due to the 1944 Joint Parliamentary Inquiry, while the establishment of the National Capital Commission in its present form owes much to another Inquiry of 1956.

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46. Ottawa Citizen, September 16, 1965, "Govt clause could delay civic centre", and "Higher Costs Feared".
47. Ottawa Journal, September 29, 1965, "New Civic Centre Can Start Now Says Pearson".
48. Le Droit, October 8, 1965, "Subvention de \$500,000 pour le centre sportif".
49. A further example of the Prime Minister's involvement in federal-municipal affairs, on the issue of municipal zoning, may be found in the first of the three case studies in Appendix 5.III.

Individually, few Members of Parliament outside of those elected from the local ridings show any sustained interest in the capital.⁵⁰ Admittedly parliamentary complaints about the state of Ottawa streets are not infrequent, but these have been voiced more in a tone of exasperation than hope of remedy.⁵¹ The more subtle and long-term problems of federal-municipal relations are rarely touched upon, either because Members themselves feel constricted by the limited powers of intervention the federal government presently possesses, or perhaps because such an interest is not expected of them by their constituents. Some Quebec members in recent years have voiced their concern individually from time to time about the predominance of English in the capital - both in federal agencies and in the capital milieu more generally - but their interest has been rather sporadic, so that the issue has hardly been called to public attention in any sustained fashion.

50. Cf. Lloyd Francis, former Member for Carleton: "there is not really that much interest with most MPs on what goes on in the city". Quoted in Ottawa Citizen, July 18, 1966.

51. This, it should be emphasized, is said in relation to back-benchers. The recent prime ministerial strictures on the confusion in Confederation Square brought a rapid assurance of its swift abatement, and, indeed, action too.

IV Language Usage of Federal Agencies in the Capital Area

Given the substantial role of the federal government in the life of the capital, the linguistic practices and policies of its agencies will not only contribute largely to the public image of Ottawa as a unilingual or bilingual area, but also may act as an example of language usage for other bodies to follow.⁵² There are, to be sure, different levels of visibility concerning language usage. In some areas of governmental activity, direct contact with the public is so habitual as to form an integral part of the language usage of the region; in others the practices of government agencies may have little or no impact outside the agencies themselves.

To start with one of the most visible and symbolic areas, it is clear that the language of signs on streets, buildings, and public places is of great importance. The National Capital Commission is responsible for the signs erected on government lands and federal driveways and parkways, and its practice in this respect has been considered above. Signs on federal buildings have both a practical and symbolic importance. In 1960 a private organization, Le Conseil de la Vie Française, carried out a survey of the relative use of English and French on government buildings in Ottawa, and it found that of 76 buildings examined, bilingualism prevailed generally in 10, some use of

52. The main source for this section is the material gathered in the summer of 1965 by J. Larivière, mostly by means of questionnaires filled in by some seventy agencies, for his study on La traduction dans la fonction publique (H.C.B.F. report, Division IV, number 26).

French was made in a further 28, and all signs in the remaining 38 were in English only. No buildings using only French signs were discovered. The ministers of the non-bilingual departments were informed, and assurances were received that the situation would be improved.

Four years later the same organization revisited the 38 buildings that had displayed only English language signs. It found that only one could be considered fully bilingual, while three others showed some degree of improvement.⁵³

The responsibility for erecting signs on buildings lies with the Department of Public Works. Until recently, the Department did not itself make decisions on language usage, the matter being decided instead by the occupants. This has now been changed: it is government policy that all external signs on new federal buildings across the country be bilingual.⁵⁴ The policy is also applied when signs are replaced in buildings being renovated, but not to existing signs unless the agency concerned makes a specific request. With respect to external signs, the same policy is applied in the federal capital area as elsewhere in Canada.

As to other fields of written usage, the various government departments, in their own estimation, were extensively bilingual. Of 19 agencies selected from the standpoint of their possible

53. Le conseil de la vie française, Bilinguisme et biculturalisme au Canada (Les Editions Ferland, Québec, 1964), pp. 144-145.

54. Cf. statement by R.C. Honey, M.P., quoted in the Toronto Globe and Mail, October 10, 1966.

influence upon the milieu of the capital,⁵⁵ all claimed that their Ottawa staff answered letters received in English or French in the language of the correspondent. The practice with regard to external forms, public notices and publications varied from department to department, but generally rather less bilingualism was reported for these spheres than for correspondence.

To determine the extent to which oral communications with the public may be conducted in the two official languages, the agencies were asked to give the number of unilingual and bilingual employees working in frequent contact with the public in selected cities across the country. Table 5.1 shows the distribution of civil servants in the capital area offices of these agencies who were reported to be able to perform their duties adequately in English, in French, and in both languages.

It is worth noting that the number of French-speaking civil servants capable of using only their own language is infinitesimal. In these 19 agencies, at least, the possibility of working in one's own mother tongue is open only to those whose language is English.

Of the 19 agencies, the R.C.M.P. has the smallest percentage of bilingual employees in contact with the public in the Ottawa area, even though it is an agency which comes into direct and habitual contact with the people of the capital region through its function of policing federal properties and driveways. In keeping with the figures reported to us, the Force seems to be viewed by many French-speaking residents as a predominantly "English" organization. Their complaints that the R.C.M.P.

55. A list of these agencies will be found in Table 5.1.

Table 5.1

Percentage distribution of Ottawa civil servants in contact with the public by ability to perform their duties in one or both of the official languages, selected agencies, 1965

Agency	No. of civil servants in frequent public contact	Linguistic ability			
		Total	English only	French only	English & French
House of Commons	110	100	52	3	45
Senate	27	100	26	-	74
Civil Service Commission	9	100	22	-	78
Library of Parliament	28	100	43	-	57
C.B.C.	49	100	8	-	92
Centennial Commission	64	100	37	-	62
National Gallery	77	100	60	-	40
National Library-Archives	274	100	64	-	36
Health & Welfare	141	100	73	-	27
National Employment Service	56	100	59	-	41
National Revenue - Taxation	265	100	67	-	33
Postmaster-General	349	100	54	-	46
Public Works	451	100	68	-	32
National Capital Commission	28	100	57	-	43
Royal Canadian Mounted Police	264	100	84	-	16
Transport	27	100	67	-	33
Air Canada	118	100	58	-	42
C.N.R.	271	100	50	-	50
Veterans' Affairs	117	100	75	1	24

Source: questionnaires filled out by agencies for J. Larivière's study, La traduction dans la fonction publique (Division LV, no. 26).

representatives who patrol the Gatineau Park in Quebec are unable to communicate in French are not denied by the Force's spokesman in Parliament.⁵⁶ The situation was highlighted in 1965 by the case of the French-speaking Member of Parliament who, after refusing to comply with an English-language warrant, was arrested and jailed by the R.C.M.P.⁵⁷ In a letter to the Commission the R.C.M.P. stressed it was not unaware of the linguistic needs of the capital, nor was it hostile to the provision of bilingual police services. The problem was simply a lack of bilingual staff to fulfill such routine functions as protecting and patrolling Crown lands.⁵⁸

Three occupational groups, elevator operators, commissionaires and telephonists, bear special mention, even if the last two are not directly employed by the federal government, for all three groups are in continual contact with the public by the nature of their work. Indeed they are often the first people spoken to by a visitor or caller to a government building. They thus contribute heavily to the public image of the government's linguistic policy.

The provision of elevator operators in government-owned buildings is the responsibility of the Department of Public Works. In 1965, slightly over half of a total of 181 operators were bilingual. No set departmental policy in regard to their

56. "Hull Asks French-speaking Mounties", *Ottawa Citizen*, July 6, 1966; "Bilingual Mounties Scarce", *ibid.*, July 20, 1966.

57. "Mounties arrest Grégoire, Govt. gets him out", *ibid.*, February 13, 1965. In a subsequent newspaper article, Mr. Grégoire mentioned this incident among those which led to his disenchantment with the existing Canadian situation and his consequent conversion to separatism. "Why I sit in a parliament I don't believe in", *The Canadian*, April 22, 1967.

58. Letter from the Deputy Commissioner (Admin.), dated July 30, 1965.

allocation was apparent, except that bilingual men would be provided if specifically requested. Of all government agencies at that time only the House of Commons, the National Gallery and the National Museum had made such a request. For operators in leased buildings no linguistic stipulations are made by the Department.

Again, in the case of commissionaires, there appeared to be no uniform policy on the part of federal agencies in regard to their requirements for the capital area. According to the commandant of the division of the Canadian Corps of Commissionaires that serves the capital region, apart from some rather rare exceptions (such as, for example, the Printing Bureau, the National Gallery, and the National Museum), the demand for bilingual commissionaires was very slight. Such bilingual personnel as were to be found appeared to be there by chance rather than by intention.

Table 5.2 analyses by language skills the commissionaires employed in 1965 in the capital area. It shows that some departments were completely bilingual in this respect; others not at all. While the total percentage of bilingual commissionaires stands around 30 per cent, it was reported that the recruiting of such persons presented no problem, the present supply easily meeting the demand.⁵⁹

The Bell Telephone Company, which supplies the federal government with telephone operators, has a policy of recruiting

59. J. Larivière, La traduction dans la fonction publique (R.C.B.B. report, Division IV, number 26), p. 25.

Table 5.2

Percentage distribution of commissionaires in Ottawa federal buildings by language knowledge, 1965

Agency	Number of commissionaires	Linguistic ability *		
		Total	English only	English & French
Defence - Ottawa	176	100	81	19
Unemployment - Ottawa	1	100	-	100
National Employment	1	100	100	-
Secretary of State	38	100	68	32
Veterans Affairs	16	100	75	25
R.C.M.P.	61	100	67	33
National Research Council	57	100	51	49
External Affairs	8	100	75	25
Defence Research	3	100	100	-
Archives	13	100	54	46
Justice	8	100	62	38
Trade and Commerce	12	100	67	33
Transport	5	100	40	60
Public Works	20	100	85	15
Industry	2	100	100	-
Revenue	12	100	67	33
Citizenship	5	100	80	20
Mines	26	100	77	23
Health	19	100	74	26
Finance	5	100	60	40
Forests	2	100	50	50
C.M.H.C.	2	100	100	-
C.B.C.	8	100	50	50
Postmaster	6	100	67	33
Agriculture	11	100	64	36
Labour	3	100	100	-
Chief Electoral Office	2	100	-	100
Château Laurier	3	100	33	67
Defence - Hull	1	100	-	100
Printing	10	100	20	80
Unemployment - Hull	1	100	-	100
Total	537	100	70	30

Source: J. Larivière, La traduction dans la fonction publique (Division IV, report 26), pp. 26-27.

* No unilingual, French-speaking commissionaires were reported.

bilingual personnel where possible. Some 45 per cent of the operators serving the government in the Ottawa-Hull area were bilingual in 1965. Moreover, there is a well defined procedure to be followed when a unilingual, English-speaking operator encounters a person wishing to place a call in French.

Finally, it should be noted that auxiliary telephone services, such as the provision of directories and instructions on the use of government telephone services, are generally available in both French and English. There is, however, one curious exception: in neither the white nor the yellow pages of the 1966 Ottawa-Hull general telephone directory does the federal government list itself in French. A member of the public seeking contact with a government department who understood no English would thus be at a disadvantage from the start.

To sum up, the external image of the federal government in the capital area is that of an organization that is bilingual in patches. Many matters still seem to be left to the decision of individual agencies, with the result that some are far ahead of others in the provision of bilingual services. In short, the federal government in Ottawa has not yet demonstrated a fully co-ordinated and effective policy of equal status for the two languages. As a consequence, the example set by the federal authorities for other levels of government to follow has not been free from contradictions and ambiguities.

V The Geographic Context of Federal Activity

Federal activities in the National Capital Region are by no means evenly distributed throughout the area. In fact, federal buildings are heavily concentrated in one municipality, Ottawa. The presence or absence of Crown property has three important consequences for any municipality. First, the location of government building projects, their nature (that is, whether they are high-rise or spread out horizontally), and how they articulate with the existing and potential urban "landscape", are prime influences on the shape and direction of urban development in the region, and thus have an important bearing on town planning. Second, while such property is exempt from normal taxation, grants under the Municipal Grants Act can be a substantial element in the municipal budget. Third, the presence of government departments in the area means more employment opportunities for the local citizens, and permits the development of support industries to service the influx of people coming to work in the municipality: it means, in short, economic expansion.

That federal buildings have not been shared evenly among municipalities throughout the capital area in the past has brought forth complaints from Hull in particular. Before examining the basis of these complaints in detail, it is of some use to look first at the location of government buildings during the formative years of the capital.

At the time of Confederation, federal government administration was concentrated in the immediate environs of Parliament Hill. The construction of the Parliamentary Library and the enlargement of the West Block sufficed to accommodate the civil service within Parliament Hill until 1880. In that year the Geological Survey building was moved from Montreal to a site east of the Rideau canal on Sussex Drive. In 1883 considerations of space forced the government to take over commercial property immediately south of Parliament Hill on Wellington Street, where the Langevin Block was completed in 1885.

By the turn of the century, a great expansion of governmental buildings began. The Experimental Farm land, over two miles southwest of Parliament Hill near what is now Dow's Lake (and outside the then Ottawa city limits), had already begun development in the late nineteenth century; in the 17 years preceding World War I, a number of laboratories, the Dominion Observatory and a Geodetic Building were erected in this area. This construction of buildings for scientific rather than administrative use was an exception to the general attempt to concentrate federal buildings in the vicinity of Parliament Hill. The National Museum was established about one mile directly south of the Parliament Buildings, but the Public Archives, the Royal Mint, the Printing Bureau, and the Connaught Building were constructed in the area between Sussex Drive

and the Ottawa river, within a half-mile northeast of Parliament Hill.

The Holt Commission of 1915 urged that the expected increase in government buildings be accommodated along two axes radiating west and northeast of Parliament Hill, the former between Wellington Avenue and the Ottawa river, and the latter between Sussex Drive and the river. Expansion up to the outbreak of World War II generally followed this plan. The National Research Council Administration Centre and Laboratories were erected on Sussex. The Daly Building on Sussex was purchased in 1921 and the Printing Bureau was expanded. West of Parliament Hill, the Confederation, Justice, Supreme Court and Bank of Canada buildings were erected. Further expansion of laboratories and administrative units on the Experimental Farm took place in this inter-war period, and the Mines Department laboratories spread into the adjacent Booth Street area, just northeast of the Experimental Farm.

World War II saw the erection of over a dozen "Temporary" Buildings, many following the Wellington-Sussex axes, but also spreading south of Laurier Avenue, to an area between Elgin Street and the Rideau Canal, and to the Experimental Farm area.

Following the war, federal expansion took two forms: extensive decentralization was matched by intensive development of the centre area, on the Wellington Street

west axis. In the latter area, the twin Trade and Commerce and Veterans' Affairs Buildings were erected in the 1950's, and the new National Library Building has just recently been completed. Also in the downtown area the Lorne Building, housing the National Gallery, was built on Elgin Street. In recent years the government has also begun a policy of leasing extensive space in private office buildings, mostly in centre town.

Concurrent with the filling-out of the downtown area, however, was a radically new policy of decentralization. The Federal District Commission described this policy to the Joint Parliamentary Committee in 1956, in these words: "decentralization was recommended as a means of avoiding downtown congestion and of permitting civil servants to live in residential areas near their offices, as well as for obvious civil defence reasons".⁶⁰

A great expansion in the buildings occupying the Experimental Farm - Booth Street area was accompanied by the growth of new office complexes west, south and east of the centre town area. Tunney's Pasture, over two miles west of centre town, near the Ottawa river, has been developed to the point where over a dozen buildings are now located there. More remote yet from the centre area is the extensive Confederation Heights complex, some four miles southwest of Parliament Hill, on the east bank of

60. Quoted in W. Eggleston, The Queen's Choice (Queen's Printer, Ottawa, 1961), p. 269.

the Rideau river. Also on the same side of the Rideau are the Tri-Service Hospital in Alta Vista and the R.C.M.P. headquarters in Overbrook. On the eastern outskirts of Ottawa, about four miles from centre town, are the extensive National Research Council laboratories, and, nearby, the Central Mortgage and Housing Corporation building and a Forest Products Laboratory. Well outside the City in the west, at Shirley's Bay on the Ottawa river, is the Defence Research Board establishment.

In summary, the overall geographic development of governmental activity in the capital region, has taken two basic forms: on the one hand, an intensive development of the centre town area along the general lines of two arms spreading west and north east from the central area of Parliament Hill, with scattered buildings south of the Hill, and, on the other hand, an extension of activity to various complexes south, west and east of the central area, generally within a radius of two to four miles.

In all this development, it has apparently been assumed that the City of Ottawa, as such, is synonymous with the "seat of government". Thus, the lines of development have tended to follow ever-increasing semi-circles radiating in a south-west-east direction from Parliament Hill. It may be that political differences between Quebec and the federal government, inadequate transportation routes across the Ottawa river, and the

feeling that the capital should be Ottawa alone, have generally served to block the development of federal activity north of Parliament Hill, and have largely isolated Hull from the effects of governmental expansion. The first major government building to be erected on the Quebec side of the river was the Printing Bureau, in the early 1950's, but for a decade after the completion of the Printing Bureau (which has since been expanded) only an Animal Pathology Laboratory has been added to federally-owned buildings in Hull, although a relatively small amount of office space has been rented by the federal government.

Table 5.3 presents in detail the location of the federal government within the three major municipalities of the area at March 31, 1967. As can be seen, Eastview contains no federally-owned property and only a small amount of leased property. As between Ottawa and Hull, if we take the owned and leased offices together, the proportion varies according to whether the number of buildings or the amount of floor-space is considered. In the former case, Ottawa has a 25:1 advantage, but this narrows to 10:1 if floor-space is compared. Whichever is taken, however, the great bulk of federal offices are clearly situated within the City of Ottawa. It should also be noted that, for the same period, Crown corporations leasing directly, and not through the Department of Public Works, accounted for some further 86,000 square feet of floor-space in Ottawa.

Table 5.3

Buildings and floor-space owned or leased by the federal government*
in Ottawa, Hull and Eastview, March 31, 1967

	Total		Ottawa		Hull		Eastview	
	N	%	N	%	N	%	N	%
Total buildings	320	100	296	92.5	12	3.8	12	3.8
Buildings owned	128	100	123	96.1	5	3.9	-	-
Buildings leased	192	100	173	90.1	7	3.6	12	6.3
Total floor-space	14,120,000	100	12,803,000	90.8	1,228,000	8.7	89,000	0.6
Space owned	10,721,000	100	9,664,000	90.1	1,057,000	9.9	-	-
Space leased	3,399,000	100	3,139,000	92.4	171,000	5.0	89,000	2.6

Source: figures supplied by the Department of Public Works.

* Only those buildings administered by the Department of Public Works are covered by this table. Further, it does not include the new Sir John Carling building in Ottawa which was occupied by the Department of Agriculture in April 1967.

As we pointed out in the introductory paragraph to this section, the location of federal offices is of considerable consequence to the municipalities involved. Thus, payments under the Municipal Grants Act to the local authorities in the capital area reflect the extent of federal holdings. The most recent year for which relatively complete data on these grants could be obtained for all area municipalities was 1963. This information is given in Table 5.4.

Table 5.4

Taxes and grants in lieu of taxes paid by the federal government and Crown corporations to municipalities in the National Capital Region, 1963 tax year

Municipality	Payment	As percentage of total	Payment per capita *
Total	\$8,271,817	100	-
Ottawa	7,249,275	87.6	\$27.03
Hull	433,660	5.2	7.62
Gloucester	316,284	3.8	17.28
Nepean	161,907	2.0	8.20
Rockcliffe Park	36,895	0.4	17.70
Other Quebec municipalities	50,233	0.6	-
Other Ontario municipalities	23,563	0.3	-

Source: figures supplied by the Municipal Grants Office, Department of Finance.

* "per capita" column is based on 1961 census population figures.

The chief components of the amounts paid to Ottawa and Hull are the federal grants in lieu of real property taxes on federal buildings and associated grants for city services. In 1963 this amounted to 86 per cent of the total federal payment to Ottawa and to 99.9 per cent of the total payment to Hull. Of the payment to Ottawa only 13 per cent was in direct taxes paid on properties owned by Crown corporations. The rather high per capita figure for the Village of Rockcliffe Park is entirely explained by the grants in lieu of property taxes on diplomatic properties in the Village: there are no federal government buildings as such in Rockcliffe. The bulk of Gloucester Township's payment is from direct taxes on Crown corporation properties, especially those of the National Research Council and the National Capital Commission.

The most important recipients of grants among the smaller municipalities on the north shore were Lucerne (\$13,765); West Hull (\$12,333); and Masham (\$11,339). Of the total amount paid to all the other Quebec municipalities, that is, \$50,233, over 90 per cent was supplied by National Capital Commission payments in respect of Gatineau Park. For the other municipalities on the Ontario side, it is interesting to note that Eastview received only \$79 throughout the entire year.

Figures for payments in the years following 1963 are only available in incomplete form. It would seem, however, that while payments to the City of Ottawa have increased steadily from year to year, those for Hull appear to have dropped slightly below the 1963 figures. Table 5.5 shows the post- 1963 payments for these two cities to the extent that figures are available.

TABLE 5.5

Total of taxes and grants in lieu of taxes paid by the federal government and Crown corporations to the Cities of Ottawa and Hull, 1963-66
(in thousand of dollars)

	1963	1964	1965	1966
Ottawa	7249	8010	8717	9182
Hull	434	356	412	407*

Source: figures supplied by the Department of Finance.

* Does not include payments by the National Capital Commission during 1966, for which figures are not available.

It is obvious from these figures that the City of Ottawa has been receiving the overwhelming bulk of government financial payments, and that this is the result of the concentration of federally-owned buildings in the City. The presence of government buildings is not, however, simply limited in its consequences to financial grants to the municipalities. For one thing, the federal government wields an enormous influence on the scope and direction of urban growth, by where it chooses to locate its "plant", by where it chooses to provide assistance to the provincial and municipal governments for public works and projects for urban development, and by how it chooses to link its building programme with existing city planning programmes.⁶¹ Nevertheless, it is a fact of great importance to the National Capital Region as a whole that the federal government's extensive powers have only rarely been used to promote and shape urban development in any of the Region's municipalities other than Ottawa.

The presence of the federal government also has serious economic consequences for the residents of the various municipalities of the capital area. As the leading employer, land owner, and spending agency in the

61. This influence on city planning schemes is illustrated by the recent announcement of a federal project for downtown Ottawa which will not only provide new government office space but will also bring about the extension of the Sparks Street Mall, a centrepiece of the Ottawa planning programme for the urban core of the City. See Richard Jackson, "Giant Building Complex for Downtown Block", Ottawa Journal June 29, 1967.

region, it could not be otherwise. That Hull and the other municipalities in Quebec should be relatively isolated from the major economic activity of the capital has long been a strong source of grievance.

In 1964 the Hull Chamber of Commerce prepared a brief in which it stressed the disadvantaged position of their City in comparison with that of Ottawa. The brief maintained that in the ten-year period ending September 1964, the three major federal agencies active in the capital area, namely the National Capital Commission, the Public Works Department, and the Department of Finance, had spent a total of \$211.2 million in Ottawa and only \$9.3 million in Hull.⁶² Of this total Public Works contributed \$122.1 million to Ottawa and \$1.8 million to Hull; the Department of Finance distributed \$41.5 million to Ottawa and \$3.4 million to Hull; and the National Capital Commission contributed \$47.6 million to Ottawa and \$4.1 million to Hull.

It may be pointed out that the above figures cover a time period falling immediately after the completion of the large Printing Bureau, thus weighting the Public Works figure against Hull. Nevertheless it is

62. Mémoire sur la nécessité d'un regain industriel à Hull. Présenté aux autorités municipales du Conseil de la Cité de Hull pour la Chambre de Commerce de Hull, le 10 décembre, 1964. See Appendix 5.IV.

clear that by any calculation a considerable imbalance remains. That Hull residents feel very strongly about this point there can be no doubt.⁶³

Although Hull has been most vocal in demanding more federal consideration, its argument may apply also to other municipalities in Quebec: Lucerne, Aylmer, Deschênes, etc. Two municipalities on the Ontario side have no federally owned buildings, but one of these, Rockcliffe Park, is entirely residential by policy, and the other, Eastview, has such a high density of population that few sites for major construction would appear at present to be available.

On February 2, 1967, the Minister of Public Works indicated that the north shore of the Ottawa river is to be integrated further into the federal building programme with the announcement that the Forestry Department will be given a new headquarters office building just west of the Printing Bureau and a forest research centre of four to five large buildings will be built in Lucerne. In conjunction with these projects, the Minister also announced plans for two new bridges over the Ottawa, one at Lemieux Island, just above the Chaudière Falls, and the other at Deschênes rapids at the eastern end of Lac Deschênes.⁶⁴

63. See for instance, Le Droit, 4 novembre, 1966, "La Chambre de Hull entreprend l'escalade du Parlement fédéral"; ibid., 12 novembre, 1966, "Des édifices fédéraux à Hull...?"; ibid., 22 novembre, 1966, "La réponse évasive de M. Pearson ne plaît pas à la Jeune Chambre de Hull".

64. "Enfin, Hull sera dotée d'édifices fédéraux", Le Droit, 2 février, 1967. "\$15 Million Forestry Complex for Hull and Lucerne", Ottawa Journal, February 2, 1967.

The inclusion of bridge projects in plans for greater development of federal buildings on the north shore perhaps indicates the end of the long used argument that poor bridge connections over the Ottawa river have made it impractical to locate on the Quebec side, despite the fact that the urban core of the north shore is considerably closer to Parliament Hill than the sites of such suburban complexes as Confederation Heights and the National Research Council cluster in the east end of Ottawa. Confederation Heights, it might be pointed out, was opened up only after completion of the Dunbar Bridge over the Rideau river, a project which had federal participation. In any event, the completion of the Macdonald-Cartier bridge across the Ottawa has already provided easier access to future federal projects on the Quebec side of the river. Better bridges, however, are only a part of the problem of urban planning, in that they tend to intensify traffic congestion on the roads into which they lead. A further question of considerable importance is the improvement and construction of new arterial roads in the municipalities on the Quebec side, a project which calls for close co-operation of the different levels of government involved.

The pattern of government expansion outlined earlier in this section suggests that the physical seat of government has not coincided precisely in the past with

the boundaries of the City of Ottawa, and may do so even less in the future. As early as the latter part of the nineteenth century, the Experimental Farm was being developed outside the city boundaries, in Nepean Township. Defence Department and Defence Research Board establishments exist today in Nepean and Gloucester Townships. Mines and Technical Surveys installations are being constructed outside the city limits in both townships. And the proposed site of an Animal Research Division lies in Nepean Township. The precedent of the Printing Bureau, and the new projects for Hull and Lucerne indicate that the actual seat of the federal government today extends over a wide expanse of the metropolitan area, and even into the adjacent undeveloped countryside. Thus it is the vicinity of the federal capital as a whole, and not the City of Ottawa alone, that must increasingly be viewed as the seat of the Government of Canada.

VI Summary

The main points of this chapter may be summarized as follows:

1. The Canadian Constitution gives the federal government no special grant of power with respect to the territory in which its capital is located.
2. Despite this, the federal government has played a prominent part in local affairs as the major employer, the major land owner, and the major contributor of cultural, recreational and other facilities in the area.
3. Institutionally, three major channels of federal interest may be discerned: the National Capital Commission, the Department of Public Works, and the Municipal Grants Office of the Department of Finance. Many other federal agencies contribute to the process as well, although more sporadically or in more minor ways.
4. Through the National Capital Commission and its predecessors, the federal government has acted as a planning agency for the area.

Having no powers to implement its planning proposals except on Crown-owned land, the government has bought and where necessary expropriated large tracts of land. In doing this, the Commission has spent over \$100 million since 1946.

5. Decisions as to the nature and location of new government buildings, which rests largely with the Department of Public Works, directly affect the urban development of the region. In construction and maintenance alone, the Department's estimates call for an expenditure of \$62 million in the Ottawa area for the fiscal year 1967-1968.
6. Most federally owned buildings are exempt from municipal taxation. Nevertheless, direct taxes are paid by certain Crown corporations and on buildings leased but not owned by the government. For the remaining federal property, the Municipal Grants Office channels around \$8 millions annually into the accounts of the local municipalities by way of grants in lieu of taxes.
7. The linguistic image presented by the federal government itself in its services to the public is uneven. While, on the

one hand, written usage appears to be fairly extensively bilingual, on the other, oral communications are only partially so, as also at present are signs on streets and buildings. No co-ordinated policy in favour of complete service in both official languages makes itself apparent.

8. The geographic extent of the capital, in terms of government buildings, does not coincide with the City of Ottawa's boundaries, but rather extends into the neighbouring Quebec and Ontario municipalities. However, on balance federal property is still heavily concentrated within Ottawa, and as a result the City receives by far the largest part of federal payments made in the capital area.
9. The Quebec sector of the Region and the City of Hull in particular feel strongly that they have been neglected by the federal authorities in the development of the urbanized sector of the capital area.

APPENDIX 5.I

Expenditures for development and improvement
within the National Capital Region by the
Federal District and National Capital Commissions,
1947-1967

Source: charts appended to the National
Capital Commission's Annual Report,
1965-66, Part II.

Table 5.A

Expenditures for development and improvement
within the National Capital Region,
April 1, 1947 to March 31, 1966

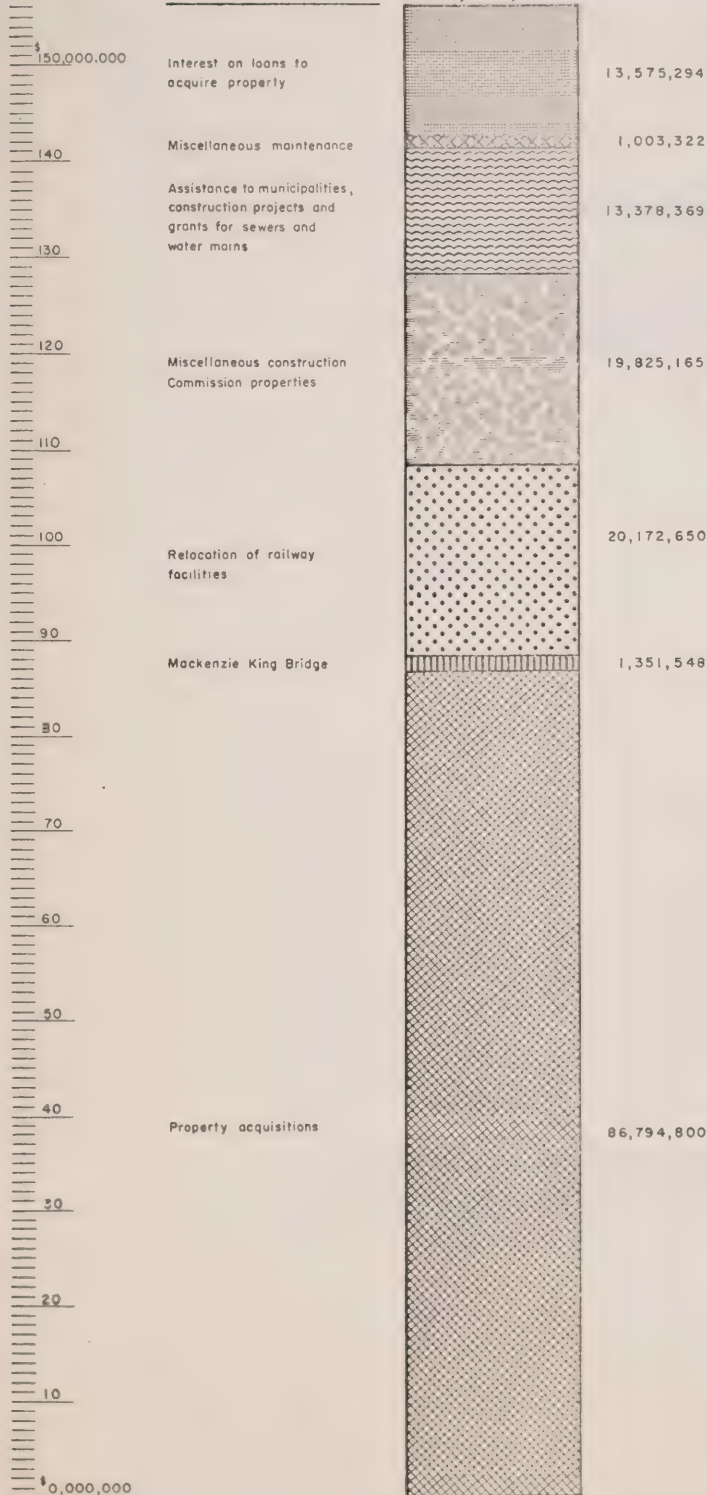
Fiscal year

1947-48	\$ 370,638
1948-49	936,833
1949-50	1,146,200
1950-51	1,634,074
1951-52	1,832,964
1952-53	1,911,536
1953-54	2,678,623
1954-55	5,508,955
1955-56	4,612,787
1956-57	3,422,380
1957-58	4,533,857
1958-59	7,740,285
1959-60	13,758,703
1960-61	11,862,201
1961-62	11,484,739
1962-63	16,933,984
1963-64	21,852,600
1964-65	18,582,674
1965-66	25,297,115
1966-67	33,564,000*

* Figure supplied by the NCC.

National Capital Commission Expenditures for Development and Improvement within the National Capital Region from April 1, 1947, to March 31, 1966

CUMULATIVE TOTAL \$ 156,101,148



DETAILS OF PROJECTS

Grants to Ottawa for construction of sewers and water mains. Total \$ 2,758,000	\$ 2,685,971
Grant to Ottawa for construction of sewer to sewage disposal site at Green Creek	5,000,000
Grant to Nepean for construction of new sewer and sewage disposal plant	160,000
Construction of Bytown bridges and improvements to Sussex Drive.	966,315
Contribution re construction of new Bronson Bridge	639,313
Contribution re reconstruction of Riverside Drive	1,202,411
Improvements to Ottawa and Hull approaches to Chaudiere Bridge	797,603
Contribution re construction of Dunbar Bridge	190,815
Landscaping and demolition of buildings for the Queensway	438,581
Demolition of buildings on approaches of Macdonald - Cartier Bridge	175,452
Share of cost of structure at junction of Carling Ave., Richmond Rd. and proposed Western Parkway	187,166
Grants to Historical Societies	50,524
Miscellaneous assistance	277,590
Miscellaneous research and studies	34,114
Confederation Square - changes	459,242
LeBreton Flats - studies etc.	113,272
	\$13,378,369

DETAILS OF PROJECTS

Parkways in Gatineau Park	\$5,918,547
Lac des Fees Parkway	507,770
Development of Hogs Back Park	523,636
Development of Hull Parks	758,783
Improvement of Park Facilities in Gatineau Park	1,234,692
Ottawa River Parkway	4,590,500
Improvements to LeBreton Flats	314,147
Improvements in the Greenbelt	319,538
Improvements to historic properties	339,269
Miscellaneous parks and parkway projects	4,856,427
Col. By Drive	461,856
	\$19,825,165

DETAILS OF PROPERTY ACQUISITIONS

Confederation Square	1,692,749
Eastern Parkway	2,092,446
Gatineau Park	5,450,701
Greenbelt in Ontario	34,448,099
Historic sites	3,157
Lucerne Parkway	607,044
Philemon Wright Parkway - Hull	906,145
Hull General lands	855,911
Industrial and railway sites. Twp. of Gloucester	545,297
Mackenzie King Bridge	270,962
Miscellaneous sites	1,463,534
Approaches to Macdonald - Cartier Bridge	2,011,964
Northern Entrance - Hull	424,955
New passenger railway terminal at Hurdman	819,881
Ottawa River Parkway	4,275,032
Queensway	4,327,483
Rideau River Parkway	2,478,762
LeBreton Flats	16,720,682
Station Boulevard	242,151
Sussex Drive	4,866,362
Western Parkway	933,881
Central Business District - Ottawa	225,592
Deschênes - Britannia Bridge	946,332
Col. By Drive extension	185,678
	\$86,794,800

Appendix 5.II

Grants in lieu of tax payments to
the City of Ottawa,
1961-1966

Source: information supplied by the Department
of Finance

Table 5.B

Summary of tax and grant in lieu of tax payments to the City of Ottawa by the federal government for 1961-66 fiscal years of the city

(thousands of dollars)

Property for which taxes or grants in lieu of taxes paid	Amount of payment*					
	1961	1962	1963	1964	1965	1966
Total payments	6,474	7,086	7,246	8,011	8,720	9,180
Departmental properties**	5,484	5,942	6,187	6,691	7,247	7,607
Crown corporation properties***	865	1,011	917	1,133	1,268	1,353
Diplomatic premises and residences of heads of missions	125	133	142	187	205	220

* Taxes included are real property tax (in respect of certain Crown corporations), local improvements, redevelopment charge, fire supply charge and sewer surcharge for water. Payments on Crown properties rented to or by the federal government are excluded. Amounts included for fire supply charge and sewer surcharge are estimates for all years. Also, the 1966 payments for other taxes of Atomic Energy of Canada, the Canadian Broadcasting Corporation and foreign governments are estimates. Payments by the National Capital Commission are estimates for all years.

** Includes payments for National Research Council properties.

*** Includes Air Canada, Atomic Energy of Canada, Bank of Canada, Canadian Broadcasting Corporation, Canadian National Railways, Central Mortgage and Housing Corporation, Eldorado Mining and Refining, and the National Capital Commission.

APPENDIX 5.III

Three selected case studies of
federal-municipal relations

Source: material gathered from Le Droit,
the Ottawa Citizen and the
Ottawa Journal

1. The Zoning By-law Issue

The controversy over zoning policies in the City of Ottawa highlights at least one of the qualities which have in the past characterized the relationship between the municipal administration and a major agency of the federal government, the National Capital Commission. Perhaps the element most in evidence was the deep-seated lack of co-ordination between the two bodies. Worthy of note as well, however, was the strong support which the National Capital Commission obtained from the Prime Minister when City initiatives involved him in the issue.

On September 9, 1964, the Ottawa Citizen carried a short report indicating that earlier in September the National Capital Commission had sought exemption from a comprehensive zoning by-law - AZ-64 - then being formulated by the City. The Commission was reportedly basing its request on the fact that the federal and provincial governments are exempt from municipal by-laws.

The initial reaction from City Hall appears to have been somewhat hostile. The mayor's response was to write privately to the Prime Minister. It would appear that the National Capital Commission was approached neither formally nor informally, but was "leapfrogged"

by the City in favour of the Prime Minister himself. The latter's reply was received by the municipal authorities on September 8 but was not made public.

At the municipal council meeting the following week, according to the Ottawa Journal of September 16, City Council rejected the thirteen National Capital Commission objections to the new by-law. Until that time the federal planning body had with few exceptions abided by all municipal regulations, but it now sought to have town property exempted completely from the terms of the new by-law. The Mayor was quoted as saying: "So far as we are concerned, they can come forward with individual requests for exemptions as they have been doing". The same edition of the newspaper carried a complaint by the Mayor, in another connection, that the City was not being informed of some policy changes made by the National Capital Commission: "In a recurring complaint the Mayor feels there should be closer liaison between the two bodies". Again she announced her intention of writing to the Prime Minister rather than the Commission.

In an editorial which appeared the following day, the Ottawa Journal commented:

The discussion of Council might have shown greater awareness of the special status of Crown lands. The brusque treatment does no good to the relationship between Crown and town which is so vital to the progress of this city...

The city considers that it has "the right and duty to indicate publicly its opinion with respect to the use of all lands under its jurisdiction, including Federal lands." Of course it has! But this could still be done while recognizing the special position of the Federal Government's holdings.

On Monday, September 21, the Ottawa Citizen reported a letter from the Prime Minister to the Mayor in which he asserted the National Capital Commission's independent and extraordinary position, and its ultimate supremacy in the zoning conflict:

If the NCC and the city find themselves in a deadlocked dispute, the letter says, the will of the NCC will prevail. But the NCC will continue to follow city zoning bylaws whenever possible - because it chooses to do so; not because it has to.

The National Capital Commission's request for blanket exemption from the City's by-law was, the Prime Minister was reported to have said, to clarify, on official documents, the powers already held by the Commission.

In an editorial entitled "The City and the NCC" the Ottawa Citizen the following day summed up the issue:

The debate between civic and federal authorities ... once again points up the need for closer liaison between the two levels of government....

As long as the city and the NCC keep at arms length - a situation due largely to the unco-operative attitude shown by Mayor Whitton - there will always be obstacles in the way of orderly development of the national capital.

2. The Lower Town East Urban Renewal Issue

Even when goodwill, seemingly, is present on all sides, it would be difficult to characterize federal-municipal relations as "efficacious". The following is a case in point.

Early in November 1965, press reports began to appear that urban renewal for Lower Town East, a predominantly French-language neighbourhood within the City of Ottawa, was in the planning stages. According to an article in the November 9 edition of Le Droit, municipal staff members had met with representatives of the Central Mortgage and Housing Corporation to discuss the project. The article went on to suggest that, although initial reaction to the plan by the people affected was favourable, there were some reservations. There appears to have been some anxiety that the residents of the area would be dispersed; worry that the renovation would decrease French-Canadian representation on the municipal council; and concern that the secondary school planned for the area be bilingual.

Although more details of the project were publicized the following month, its full scope did not become apparent until the latter part of March 1966, when a detailed plan was submitted to the City Council.

Covering some 186 acres and affecting 9,400 people, according to the report submitted to Council, the project was expected to cost some \$15,000,000. Although some aspects of the plan had been public knowledge for approximately four months, the project as a whole appears to have had relatively clear sailing to this point. The particular qualities of the neighbourhood had been recognized, and the city authorities had made a major effort, to the point of distributing a bilingual pamphlet outlining their plans, to keep their lines of communication open with the residents of the area.

In an editorial dated March 23, 1966, the Ottawa Citizen wrote:

The city rightly plans to give those displaced by the Lower Town scheme the first opportunity to use the new facilities that will be located in the area. More than 700 public housing units will be built.... One of the reasons that Lower Town people are not raising a fuss over the city's plans is that they have been kept fully in the picture.... Civic officials have learned the hard way that good public relations can be a major factor in ensuring the success of an urban renewal scheme.

A commentator writing in the same day's edition of Le Droit expressed a similar view:

Le Droit approuvait récemment le projet de réaménagement de la basse-ville d'Ottawa, à la condition sine qua non que l'on respecte intégralement l'entité sociale propre à ce secteur. Or, comme le rapport a tenu compte de ce facteur primordial, notre journal ne peut que féliciter les édiles d'avoir déjà approuvé en principe ce vaste programme et souhaiter qu'il se concrétise complètement.

Some five days later, however, in its March 28 edition, Le Droit carried several articles suggesting that although the project had the general support of the Lower Town residents, objections were being raised concerning the relative lack of self-contained dwellings envisaged, and fears were expressed as to the maintenance of the neighbourhood's French Canadian character.

The issue hung fire for the next two months while the municipal authorities sought to obtain provincial authority to proceed, and discussed federal support of the project with the Central Mortgage and Housing Corporation. In June, however, it flared to life again. On June 15, the Ottawa Citizen reported the opinions of a group representing the residents, the Lower Town East Ratepayers Association. The complaints centered on the lack of self-contained dwellings, which was encouraging many people to leave and thus threatening the character of the neighbourhood, and confusion over the language of instruction in the proposed new school. Le Droit's coverage of the event also contained an accusation by the president of the Association of duplicity on the part of the municipality. He maintained, according to the article, that city officials were trying to convince authorities of the province and of the Central Mortgage and Housing Corporation that the project had encountered little opposition in spite of their reception, early in June, of a petition of objection with some 500 signatures.

The following day, June 16, members of the Association met with the Mayor and other civic officials to discuss the issue. According to the Ottawa Citizen, the same two complaints were stressed: the residents' objections to new housing and confusion over the language of instruction in the projected school.

Shortly thereafter the Central Mortgage and Housing Corporation stepped in. The June 24 edition of the Ottawa Citizen carried an article which stated that the previous day the federal agency had requested the City to call in outside consultants.

A request that the city engage special urban design consultants has been made by the Central Mortgage and Housing Corporation. CMHC wants the consultants to study all details of land use.

The following week Ottawa's Board of Control, according to the Ottawa Journal's June 28 edition, reluctantly agreed to a four month study by outside consultants. Few other options were open to them as the approval of the Central Mortgage and Housing Corporation was required before Ontario Municipal Board authorization could be obtained. In an editorial the same day the Ottawa Journal voiced qualified approval of the position taken by the Corporation, as did the Ottawa Citizen two days later.

On July 5, according to an Ottawa Citizen article the following day, the Collegiate Institute Board announced its intention of approaching the provincial Minister of Education to seek permission to open a high school in which French would be the primary language of instruction. This appears to have been something of an effort to win over the residents of Lower Town, and this impression is reinforced by the second of a series of articles on the issue written by an Ottawa Citizen staff writer which appeared some nine weeks later:

To overcome some of this opposition the CIB said it would operate its proposed school as a bilingual school....

Apart from French language courses, the department of education only allows for social studies and Latin to be taught in French.

Other subjects can be taught in French by special permission. But the CIB hasn't applied for this special permission yet nor indicated how many subjects it would attempt to teach in French.

By September 1966, little further progress had been made, the consultants' report not being due until late October or early November. In the meantime, however, a new factor had been added to the overall confusion. A number of Lower Town residents, attempting to relocate elsewhere had signed agreements to buy new homes relying on the money they were to receive from the expropriation of their former residences for down payments. The delay

in the project, however, meant that expropriation proceedings were not begun on schedule and thus the money was not available. Yet these people had made commitments to buy and several were reportedly facing legal action. According to an Ottawa Citizen article dated September 29, the City and the province were willing to go ahead in advance of full approval of the plan, but the Central Mortgage and Housing Corporation, the article quoted the Mayor as saying, "cannot legally advance money for a project not fully approved".

According to the same source:

The mayor has approached the Cabinet asking for an immediate payment from the federal government to be deducted later from the CMHC contribution later.

"This seems the only way around the problem," the mayor said. "I have discussed it with Public Works Minister McIlraith and I am very optimistic we will get the results we want."

There the matter rested at the end of September 1966. Although a year later the issue is still unresolved, the early stages of the project outlined above do provide an example of the interaction that takes place between the different levels of government.

3. Maurice Cardinal

One event which illustrates some of the costs of the many overlapping jurisdictions in the capital area occurred in the spring of 1966. On April 8, while employed in a project in the City of Ottawa, Maurice Cardinal, a

demolition worker, fell from a height of six storeys to his death.

At the inquest which followed it became apparent that safety regulations on the job had been largely ignored. One of the reasons appears to have been a language barrier: the president of the demolition firm, who was French-speaking, was quoted in the Ottawa Citizen, June 7, 1966, as testifying that "he also had some trouble understanding the city inspector because he spoke fast".

In view of the legal powers which can be applied when such breaches occur, the failure of the firm to abide by the safety regulations does not explain why work was allowed to continue. According to the newspaper reports covering the inquest, the City of Ottawa inspectors were fully aware of the lack of attention which had been paid to the provincial Safety Act, but felt they could not act because the demolition was taking place on federal property and they were uncertain of their jurisdiction. On the other hand, the staff of the Department of Public Works, which had issued the contract for the job, were under the impression that the City was responsible for safety inspection. The result was that the safety regulations were enforced by neither the City of Ottawa nor the federal government.

APPENDIX 5.IV

Comparative federal expenditures by three
major agencies in Ottawa and Hull,
1954 - 1964

Source: La Chambre de Commerce de Hull,
Mémoire sur la nécessité d'un
regain industriel à Hull
(le 10 décembre, 1964), Annexe D.

DEPENSES DU GOUVERNEMENT FEDERAL
DANS LES CITES D'OTTAWA ET HULL
DEPUIS DIX ANS

	OTTAWA	HULL	HULL COMPAREE A OTTAWA
<u>POPULATION</u> (Recensement fédéral 1961)	268,206	56,929	21.23%
<u>DEPENSES:</u>			
1- <u>Ministère des Travaux publics:</u>			
a) Nombre d'édifices (y compris les rajouts)	80	1	1.25%
b) Coût total des édifices	\$114,930,000.	\$ 735,624.	0.64%
c) Octrois spéciaux (Queensway, ponts, égouts, etc...)	6,043,571.	----	0.00%
d) Projets interprovinciaux (pont Macdonald-Cartier, entretien du pont Chaudière)	<u>1,105,218.</u>	<u>1,105,218.</u>	100.00%
TOTAL	\$122,078,789.	\$1,840,842.	1.51%

2- <u>Ministère des Finances:</u>			
Taxes municipales (y compris celles payées à la Commission scolaire de Hull)	\$ 41,472,497.	\$3,430,354.	8.27%

3- <u>Commission de la Capitale nationale:</u>			
a) Contributions spéciales (égouts, démolitions, etc...)	\$ 10,858,206.	\$ 563,672.	5.19%
b) Construction (parcs)	12,803,092.	1,446,296.	11.30%
c) Achat/expropriations de terrains	23,670,357.	2,045,423.	8.64%
d) Taxes municipales	<u>327,109.</u>	<u>----</u>	0.00%
TOTAL	\$ 47,658,764.	\$4,055,391.	8.51%

4- <u>Sommaire:</u>			
a) Ministère des Travaux publics	\$122,078,789.	\$1,840,842.	1.51%
b) Ministère des Finances	41,472,497.	3,430,354.	8.27%
c) Commission de la Capitale nationale	<u>47,658,764.</u>	<u>4,055,391.</u>	8.51%
TOTAL	<u>\$211,210,050.</u>	<u>\$9,326,587.</u>	4.42%

CHAPTER SIX

The Legal Systems

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I Introduction

In the Western world two different schools of thought may be distinguished as to the position of the judiciary in the governmental structure. For the one, the judiciary forms an integral part of the executive function. The dispensing of justice is seen as an administrative matter, and no special importance is attached to the position of the judiciary. The other tradition sees the legal system standing alone, independent of the other branches of government, in order that it may defend the laws of the land and the individual's rights thereunder against executive or administrative encroachment. From this point of view the judiciary assumes a symbolic role of no little importance: as the protector of rights and freedoms, it becomes intimately associated in the public mind with them. A vigorously independent judiciary, in short, is taken as a prime indicator of the health of the state.

Canada has always adhered to this latter school of thought. Accordingly, the judicial systems in the capital area should not be considered simply as an aspect of administrative arrangements, but rather are to be described separately and with considerable care. For judicial action may involve the most serious consequences for the individual citizen, including loss of property, individual liberty, and even in rare instances life itself. In such circumstances, equality of every citizen before the law and the judicial process is a matter of the highest importance.

Federal states such as Canada contain at least two levels of law-making authority, the federal and the provincial legislatures. They are consequently faced with a major difficulty in organizing their judicial systems that is unknown to unitary states. Balancing the need for uniform justice throughout the state is the need to respond to the local particularism which gave rise to the federal system in the first place. In the United States the structural problem is answered by setting up what amounts to two separate judicial systems, one for cases involving state laws, the other for cases involving federal laws or certain matters outside the competence of the state courts.

The Canadian judicial system is much closer in structure to a unified hierarchy than to the parallel systems of courts just described.¹ While there are no parallel judicial structures on the lines of those in the United States, yet the possibility of such a system is provided for in the British North America Act. Under that Act, a provincial legislature is competent to establish courts having jurisdiction within the province and to determine their powers. However, the selection, payment and dismissal of the judges of the provincial courts at or above the level of the County and Superior Courts are the responsibility of the federal authority. Furthermore, the federal Parliament can, if it chooses, establish a system of purely federal courts to administer federal laws to the exclusion of the provincial courts. This power has been exercised to a limited extent in the creation of the Exchequer Court of Canada which deals with some areas within

1. Diagrams illustrating this hierarchy as it is to be found in Ontario and Quebec may be found on pp. 6.7 and 6.8 respectively.

federal legislative competence such as patents, trademarks and admiralty law. For the most part, the central authority has chosen to empower the provincial courts to exercise jurisdiction in matters of federal law, notably in the important federal field of criminal law. As a result, almost all trials of both civil and criminal actions occur in provincial courts. Appeals thereafter may be taken up through provincial appeal courts and thence to the Supreme Court of Canada, the latter being a court established and staffed exclusively by the central authority. Thus although the federal Supreme and Exchequer Courts are located physically within the capital area, the local resident will mostly be concerned with the provincial courts of first instance and appeal of Ontario or Quebec.

Since ^{the} federal capital area straddles two provinces, as we have noted earlier, it includes within its confines two provincial legal systems. The courts to the north of the Ottawa River belong to the Quebec judicial system, while to the south the Ontario system prevails. The differences between the two are considerably greater than would normally be found between two contiguous judicial systems in Canada. For one thing, the right to use either French or English before any Quebec court is written into the B.N.A. Act.² As a result the Quebec system is constitutionally and officially bilingual, while the Ontario courts, free from such a provision, are substantially unilingual as far as official recognition of language is concerned. A second difference is

2. Section 133 reads: "Either the English or the French Language may be used by any Person... or in any Pleading or Process in or issuing from... all or any of the Courts of Quebec."

that while both systems apply the same body of criminal law, on the non-criminal side the Quebec courts administer Civil Law and the Ontario courts Common Law.³ Between these two bodies of Law we find a considerable distance, especially in the field of domestic relations.

At the start we must stress the relationship of the two main judicial units in the capital area, the Judicial District of Hull and Carleton County, with their respective provincial systems. For, while districts and counties, as basic units in the two judicial hierarchies, are independent of other such units at the same level, they are very much dependent on the superior levels of the Quebec and Ontario legal systems respectively. If the judicial systems of the capital area were entirely self-contained, it would be a relatively easy matter to adapt their language practices to the requirements of the local population and the demands arising from the location of the capital in the region. This, however, is not the case: the practices of the units are determined by the system prevailing in the province as a whole. As will be shown below, this factor of dependence on the provincial systems plays a vital role in the language usage of the courts in the capital area.

In this chapter, we shall be looking at both the written and the spoken language usage in the legal institutions of the County of Carleton and the District of Hull. The data are based

3. The Civil Law of Quebec has its roots in the law of France, while Common Law developed in England. Until 1792 the former obtained throughout Canada. In that year, however, the Upper Canada Legislature adopted the Common Law system. Today Quebec is the only province using Civil Law.

on interviews and research carried out from September to December, 1965, and the report refers to the court systems of Ontario and Quebec as they existed as of January 1966.

II The Legal System of the Ontario Sector

The legal system in the Ontario part of the capital region is similar to that for any other part of the province. Within the County of Carleton, four Division Courts, a County Court and a Surrogate Court hear civil cases, while criminal cases may be brought before one of two Magistrate's Courts, a Juvenile and Family Court, the Court of General Sessions or the County Court Judge's Criminal Court. At the local sittings of the Ontario High Court of Justice, both civil and criminal cases are heard. Additional legal institutions serve the County of Carleton as a whole. There is the local office of the Supreme Court of Ontario to handle proceedings begun in the County; the county jail; the local offices of certain provincial administrative bodies; registry offices;⁴ and, of course, the legal profession itself.

Local Trial Courts. The Magistrate's Court is primarily a criminal court, hearing prosecutions under municipal by-laws, provincial statutes and regulations (e.g., the Highway Traffic Act and Regulations), and under federal statutes and regulations (mainly the Criminal Code). Cases most frequently concern minor offences, such as drinking, traffic violations and minor thefts, and are heard by the Magistrate alone without the assistance of a jury. Persons accused of more serious offences receive their

4. See Appendix 6.1.

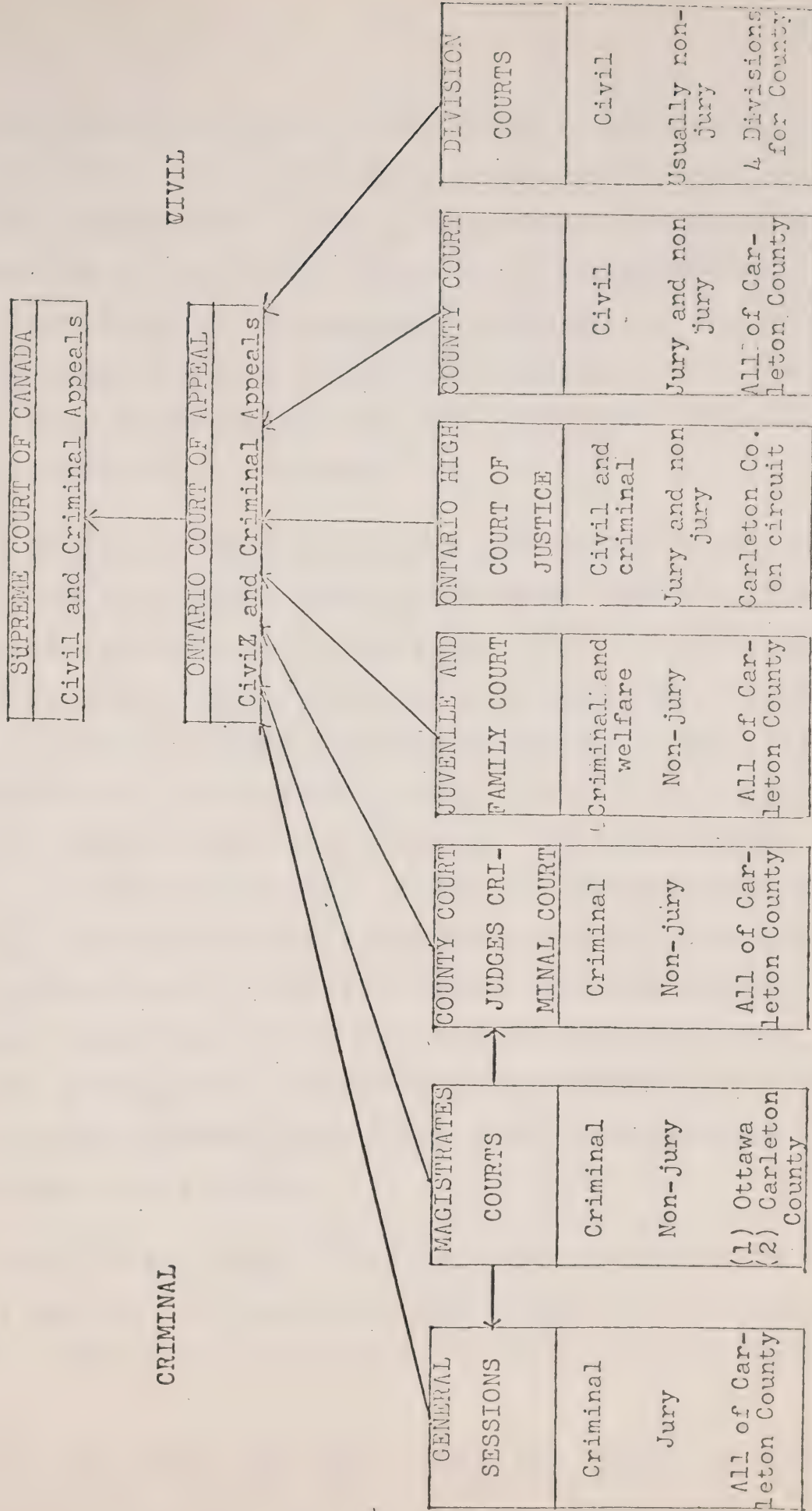
"preliminary inquiry" before a Magistrate, and may in some instances elect to have their cases heard by the Magistrate rather than await trial by the County Court Judge or by Judge and jury.

There are two Magistrate's Courts in the area; one handles cases arising within the City of Ottawa, while the other has jurisdiction over the rest of Carleton County. When this study was in progress the former was served by three Magistrates (one of whom is bilingual) and a Deputy Magistrate. The staff of the Court, headed by a bilingual Clerk of French mother tongue, included persons capable of carrying out their duties in both English and French. The various forms used by the Court (summonses, traffic tickets, warrants, committal forms and so on) are available in English only; however, a person can carry on business with the staff in either language and can obtain oral explanations in French of the various forms. The actual hearings of the Court are conducted in English. In the event that an accused or a witness is unable to speak or to understand that language, an informal translation is provided by the police officer who acts as prosecutor in the main run of petty offences.⁵ Testimony is taken down in shorthand by the Court reporter in English only.

5. This police officer is a sergeant or a staff sergeant of the Ottawa Police Force, known as the Conducting Officer or Prosecuting Officer. He is selected specifically for this function and it is a required qualification that he be fluently bilingual. Because the conducting officer is present throughout the sittings of the Magistrate's Court, he is available to act as an interpreter at the request of defence counsel or of the prosecuting counsel if one is being employed in the particular case.

Diagram 6.1

Civil and Criminal Courts, Carleton County, Ontario, at January 1, 1966 (showing appeal System)



The Magistrate's Court for the County of Carleton consists of one Magistrate only. While there are no court offices as such, the administrative staffs of the various municipalities can be called upon to provide forms, set up hearing dockets, and so on. Thus the day-to-day language practice here is closely tied to the language abilities of municipal employees. Again the various forms are in English only, and hearings are in English, with interpretation as required.

A Juvenile and Family Court has been established for the whole County of Carleton, including Ottawa and Eastview. Under its criminal jurisdiction the court hears prosecutions brought against juveniles (young persons under the age of 16) or against adults accused of offences involving juveniles. As well, the Court deals with family welfare matters: maintenance of parents, wives and children, and family disputes. The purpose of the Court -- to deal with juvenile and domestic relations in a more informal, friendly and private atmosphere than that prevailing in an ordinary court⁶ -- makes it vitally important that the necessary rapport between the Court and its clientele not be disturbed by linguistic or cultural incompatibility. As a result, more attention has been given in this Court to bilingualism than in the Magistrate's Courts.

While the two judges of the Court (at the time of the study a third position was vacant) were both of English mother tongue, one had a fair fluency in French and used this language whenever

6. Hence the Juvenile and Family Court, its offices and detention home are all geographically separate from the down-town locale of the ordinary courts, in close proximity to a large playground area and open space.

appropriate in emphasizing particular points to a French-speaking juvenile. The Court staff was headed by a bilingual court clerk of French mother tongue. His subordinates included both French-speaking and English-speaking personnel, and office business was carried out in English or French at the option of the person concerned.

Two sorts of court officers bear special mention: the two marriage counsellors and the five probation officers. One marriage counsellor spoke both French and English, the other only English. Two of the probation officers dealt with girls and three with boys. Both of the girls' officers spoke adequate French; one was Roman Catholic, the other Protestant, and girls were allocated to their officers with some regard to matching religious persuasion. While none of the three boys' officers spoke French to any great extent, at the time of the interview an effort was underway to fill a fourth opening with a French-speaking officer. Boys were not allocated to officers with any special regard to religion.⁷

The forms used in this Court, corresponding roughly with those used in the Magistrate's Court, are in English only. However, a bilingual notice to parents, advising them to attend court with their child, is sent with the summonses initiating Juvenile Court proceedings. The hearings too are, for the most part, conducted in English, but balancing this are the facts that

7. When boys or girls are sent to correctional institutions, or placed in foster homes, this is done strictly on the basis of the religious affiliation of the child concerned.

much of the Court's work is accomplished outside the trial room and that, as noted above, there does exist partial accommodation for French. When, for the purposes of the English-language transcript of the proceedings, extensive interpretation is required, it is generally provided by the Clerk of the Court himself, although persons appearing before the Court can bring their own interpreter. This is rarely done, except in cases involving persons of a tongue other than English or French.

The two other Courts with criminal jurisdiction -- the General Sessions of the Peace and the County Court Judge's Criminal Court -- will be dealt with below.

A Division Court exercises a civil jurisdiction only. Carleton County is today divided into four divisions, each of which has its Division Court. This is a small debts court, dealing with claims for sums of \$400 or less. The usual cases concern unpaid accounts, bad cheques, promissory notes, minor traffic accident claims, and other small tort claims. Trial is always by a Judge sitting alone, although litigants have the right to ask for a jury if the case involves \$50 or more.

County Court Judges serve as judges in the Division Courts. Deputy Judges may be appointed from the ranks of senior, practising lawyers to determine claims of \$200 or less. In these cases no transcript of the proceedings is kept and no appeal is possible: otherwise appeal lies to the Ontario Court of Appeal. At the time of our study it was reported that the staffs of the First and Seventh Division Courts, which are located in Ottawa, included bilingual persons, and office business was conducted in

the language preferred by the person concerned. The other two Division Courts (at Carp and Galetta) were staffed only by a Clerk of the Court, who, in both cases, spoke English only. In all four Division Courts, the hearings, the transcript, if one is kept, and the various forms of pleading, summonses, subpoenas, executions, etc., are in English only. Interpreters, if required, have to be provided by the litigant.

Judges of the County Court preside over several tribunals. On the civil side, besides the Division Courts mentioned above, they sit in the County Court, with or without a jury, for trial of actions usually involving \$3,000 or less, and in the Surrogate Court to handle matters concerning the estates of deceased persons or of infants. Their criminal jurisdiction covers the General Sessions of the Peace (trial by jury) and the County Court Judge's Criminal Court (trial by judge alone). Each judge may also act as a persona designata or arbitrator under a number of statutes to hear various applications and appeals. Appeals from most of the tribunals presided over by County Court Judges go to the Ontario Court of Appeal at Toronto.

All procedural matters relating to these tribunals are handled by a single office, the staff of which, headed by the Clerk of the County Court, did not include persons capable of carrying out their business in French when we contacted them. The practice was to call in bilingual persons from adjacent offices or to enlist the assistance of bilingual lawyers who might happen to be in the court offices when the need arose. The various forms used are in English only, as also are the hearings before the Court in both civil and criminal proceedings.

In civil cases, an interpreter, if required, has to be obtained and paid for by the litigant who wishes to use the testimony in question. However the judge, in assessing the costs of the action, may transfer part of the financial burden of having to provide an interpreter to the losing side. In criminal cases the practice varies according to which party -- the prosecution or the accused -- has employed an interpreter. When the prosecution, whose witnesses are the first ones heard in any case, has used an interpreter, the practice is to keep him available, if requested, for use by the defence. Then the interpreter will be paid out of court funds as part of the normal expenses of the case. If the accused is the first to call for an interpreter, he has to obtain and pay for his own, unless his limited financial means has necessitated his recourse to legal aid. In such a case, the interpreter, no matter which side uses him, will be paid as a court expense.

In Carleton County, only one person was employed by prosecution and defence alike with any regularity as an interpreter. His services were called for a few times each week in pre-trial oral discovery proceedings and in trials. When he was not available, French-speaking law students were sometimes employed. Interpretation cost about \$5 an hour and it appeared to be of high quality.

The High Court of Justice, the trial division of the Supreme Court of Ontario, has both a civil and a criminal jurisdiction. It can deal with minor as well as important civil cases, although in practice all but the more serious cases are filtered off into the courts lower in the hierarchy. Only the

more serious of criminal cases come before the Court, which can function either with or without a jury. Appeal is to the Court of Appeal in Toronto.

The justices of the High Court are based in Toronto, but move around the province, exercising their jurisdiction in the various "County Towns". There is no apparent linguistic pattern in the selection of the justices who come to Ottawa (the County Town of Carleton).

At the local offices of the Court, proceedings are begun and continued up to trial, procedural determinations made, and judgments enforced. At the time of our study, the Ottawa office had a staff, headed by the Local Master, capable of carrying out its duties in both French and English. It should be noted, however, that the individual litigant rarely if ever has anything to do with this office, his business being handled almost invariably by lawyers. The language used is almost always English, even by lawyers whose mother tongue is French. All pleadings, procedures, subpoenas, etc., are in English, as also are all hearings before the Court.

Both civil and criminal jury trials in the Division, County and High Courts are now rare. However, they remain available at the option of the accused in serious prosecutions and of either party in most civil actions. Only in the provinces of Quebec and Manitoba can a party to the proceedings call for the jury to be of a specific linguistic composition.⁸ Thus, an accused in

8. See below, p. 619.

Ontario cannot demand to be tried by a jury of his own mother tongue. On the other hand, there is no practice in Ottawa of striking French-speaking persons off the list from which jury panels are chosen. A unilingual French-speaking Canadian would, however, be discovered when the panel was first assembled in court and would be excluded or challenged on that ground.

To sum up, in all its fundamentals the Ontario legal system is an English-language structure. Although some use of French is to be found in areas like Carleton County where a fair proportion of the population is French-speaking, for the most part this usage results from the various informal arrangements that may be devised within the rather narrow limits imposed by a basically unilingual system. That these limits are very real there can be no doubt. The factor of appeal to the unilingual Court of Appeal at Toronto, for example, requires the use of English-language transcripts of original proceedings, and this in turn has influenced the language of the trial itself. Further, the pressures towards uniformity in a province that is officially and for large areas in practice unilingual have led to the use of the English language alone in legal forms and documents throughout Ontario.

The occasions on which the French language is employed are of two kinds. First, the occasional use of interpreters, though a costly and time-consuming procedure, has permitted persons with a poor command of English to play a fuller part in court proceedings. This is not a case of freedom of choice of language, but rather of what is necessary in order that the requirements of justice be met. Second, the bilingualism of court officers and staff has

enabled some use of the two languages outside the formal processes of the courtroom. While a deliberate policy of acquiring bilingual personnel is apparent for certain positions in Ottawa (such as probation officers), for the most part the presence of bilingual staff would seem to owe more to chance than to conscious decision. As a result the French-speaking citizen is able to use his own language in communicating with the court and its staff on some occasions but not on others, depending upon the official with whom he has to deal.

III The Legal System of the Quebec Sector

The structure of the legal institutions within the Quebec sector of the capital area is the same as that for any other part of the province outside Quebec City and Montreal. Some of the municipalities in the region have their own Municipal Court, while the three main Courts serving the region as a whole are the Magistrate's Court, the Social Welfare Court and the Superior Court of the Judicial District of Hull. Within the District there are local administrative tribunals, local provincial tribunal offices, a land registry office, and the members of the legal profession (avocats and notaires).

In contrast to the situation in Carleton County, the District is virtually self-contained. No visiting judges come to hear cases, so that the only contact with more senior courts is by way of appeal to the Court of Queen's Bench (Appeal Side), which sits in Montreal and Quebec City. It should be noted that, unlike the case in Ontario, no language difficulties are involved when a case is appealed in Quebec. The Judges of the Court of Queen's

Bench (Appeal Side) are fully bilingual and all proceedings in that Court -- documentation of appeals and oral arguments -- are in either language interchangeably. No translation of transcripts of testimony or of decisions is necessary, nor is it done except to the extent that lawyers occasionally may have transcripts translated for the purpose of their own understanding.

Local Trial Courts. Four municipalities in the Hull District -- Hull, Aylmer, Gatineau and Pointe-Gatineau, have their own Municipal Court, presided over by a judge who also is engaged in the practice of law. The Court tries prosecutions for infractions of municipal by-laws and cases relating to municipal contracts and taxes.

The Magistrate's Court has both a criminal and a civil jurisdiction, the former corresponding roughly to the combined jurisdictions of the Ontario Magistrate's Court and the County Court Judges, and the latter approximating to that of the Ontario Division Courts. Thus, on the criminal side, the Court hears prosecutions under provincial and federal statutes for such offences as thefts, drinking and traffic violations. The Court also conducts preliminary inquiries, and may try some serious offences if the accused so elects. Under its civil jurisdiction the Court hears claims in contract and delict to \$500,⁹ municipal and school tax claims, church assessments, disputes between landlord and tenant, and so on.

9. Under Quebec's new Code of Civil Procedure, which went into effect on September 1, 1966, Magistrate's Court was replaced by a Provincial Court with powers to hear actions for amounts up to \$999.

At the time of our study, the Hull District Magistrate's Court was staffed by three judges, all of whom were of French mother tongue and bilingual. The staff of the Court, headed by the Greffier, was composed only of persons of French mother tongue. It is policy, however, that service be provided in English as well as French. In practice most of the business of the Court office is conducted in French, although English can be and is used to some extent.

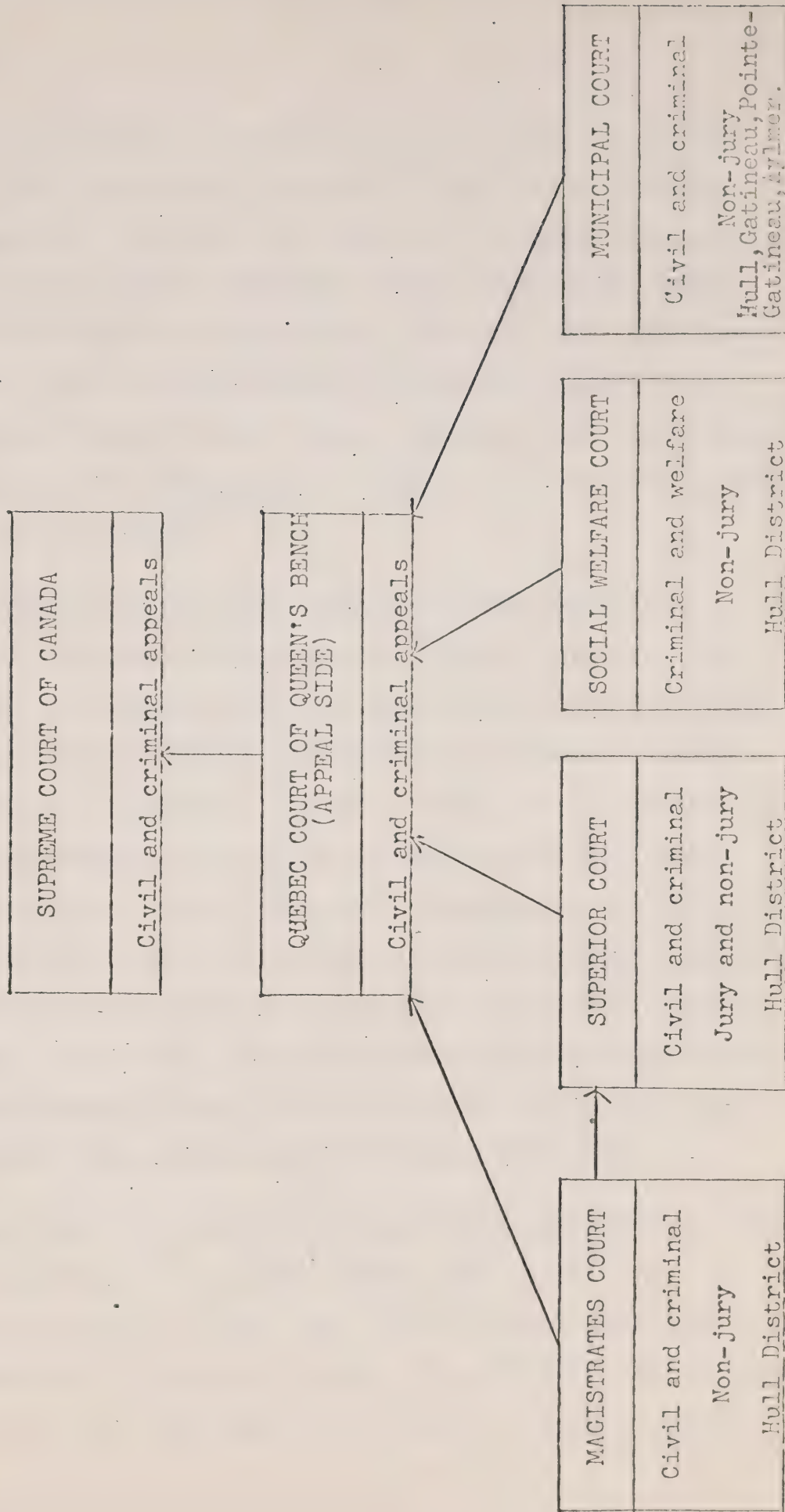
Criminal actions are prosecuted by a Procureur de la Couronne; there is no prosecuting or conducting police officer as in the Ottawa Magistrate's Court. In civil actions it is usual for both sides to be represented by a lawyer.

A Social Welfare Court was established quite recently for Hull, Labelle and Pontiac Districts. It tries prosecutions against juveniles (in Quebec, persons under 18 are juveniles) and against adults accused of offences involving juveniles. The Court admits juveniles to youth protection schools, determines adoption applications, and acts as a moderator or adviser in family disputes.

As in the case of the Carleton County Juvenile and Family Court, this Court is intended to be more informal, more private, and more expeditious than the ordinary Courts. It was reported that representation by lawyers is less frequent than in the other Hull Courts. The forms used are available in either French or English, and are completed according to the known language of the accused person or the parties. Proceedings very rarely involve English-speaking persons. When the accused is unable to understand the

Diagram 6.2

Courts of the Judicial District of Hull, Quebec, at January 1, 1966 (showing appeal system)



testimony given, it is informally passed on to him in his own language by the Judge or by the Clerk of the Court or by the Crown Prosecutor. Juveniles are spoken to in either language by the Judge, who is fully bilingual. At the time of the study there were six probation officers who serve the same important function as in the Carleton County Juvenile and Family Court. All six were of French mother tongue, bilingual and Roman Catholic so that there was no allocation of juveniles to officers according to language or religion.

The Superior Court hears suits that are beyond the competence of the other Quebec courts of first instance. The Court itself is composed of 72 justices for the entire province who exercise their functions in the various judicial districts to which they are appointed. Three justices, with residence in Hull, are responsible in rotation for the Districts of Hull, Labelle and Pontiac. Under its civil jurisdiction the Court tries actions involving \$500 or more, and is, therefore, the equivalent of the Ontario County Court and High Court of Justice. On the criminal side, the Court, like the Ontario High Court of Justice, hears certain appeals from Magistrate's Court and tries those offences beyond the jurisdiction of Magistrate's Court.

A jury trial is available in both civil and criminal cases, although in practice it is only used in the latter. The linguistic composition of the jury (wholly French-speaking, wholly English-speaking, or composed equally of each) is at the discretion of the accused, and the proportion of wholly French to wholly

English juries in Hull varies widely from year to year. Mixed juries are very rarely requested.¹⁰

Due to the importance of the matters involved and the technicality of the Court procedure, lawyers are almost invariably employed. The Superior Court staff, headed by the Prothonotary, included at the time of the study only persons of French mother tongue, although it is policy and practice to provide service in English.

Language Usage. The linguistic practices of the Carleton County Courts tend to vary from Court to Court. In the Hull District, by contrast, they are in many respects uniform. This enables us to describe in general terms the language of forms and trials.

All forms used in criminal proceedings were reported to be available in either French or English. Formally,^{the} complainant or prosecutor is free to select either language for the initial documents -- the information, summons or warrant. However, he is expected to employ the language of the prospective accused. To some extent this criterion also applies to the summons in a non-criminal action. The pleadings in these cases can also be in either language, and it is possible for them to vary in language as between the plaintiff and defendant. In the Hull District, however, only a small proportion of the pleading is done in English. Documents relating to land, etc., are accepted for registration in both French and English.

10. The whole question of the language of juries in Canada is examined in some detail by C.L. Sheppard, The Law of Languages in Canada (Report prepared for the N.C.L.C.), pp. 696-732.

Either French or English can be used in all aspects of Court proceedings. In actual trials this means that witnesses can testify in either language, and their testimony enters the transcript in the language in which it is given. Witnesses are examined and cross-examined in their own language. Oral argument can be in either language, as also can the Judge's comments and decision.

The need for translation is met in different ways in different courts. When in the Social Welfare Court, translation becomes necessary, all requirements are met by the Court officials themselves. In criminal proceedings in the Magistrate's and Superior Courts, if the accused is represented by a lawyer, it is presumed that the lawyer is bilingual and that he will interpret as required to his client. However, in the Superior Court, even if the accused is represented, nevertheless if he insists on translation an interpreter is provided for him and paid by the Court.¹¹ In either the Magistrate's or Superior Courts, if the accused is unrepresented an interpreter may be ordered if the accused indicates that he cannot understand the language of the proceedings. This rarely happens. It is said to be a fairly common occurrence that an unrepresented accused in Magistrate's Court, rather than being provided with an interpreter, is given the gist of what witnesses have said against him by the Judge and is then called on to question the witnesses through the Judge by suggesting to the Judge the appropriate questions to be asked.

11. In Hull, two retired, highly qualified gentlemen are regularly employed as interpreters in all types of court proceedings. In Campbell's Bay the Prothonotary and in Mont Laurier the court reporter act as interpreters (and receive the fee as such in addition to their regular salaries).

In civil cases, in both the Magistrate's and Superior Courts, the two sides are almost invariably represented by counsel. Then both lawyers are presumed to be bilingual, and it appears to be a matter of pride in lawyers of both language groups to be able to carry on in either language as required. However, it occasionally happens that a unilingual lawyer from outside Hull comes in to take a case and indicates formally that he would prefer to plead in one language only. In these rare instances the Court provides an interpreter and delays the steps in the trial to permit translation. The interpreter so provided is obtained by the Court but his fee becomes an item which may, in the Judge's discretion, be allowed as a taxed cost against the losing side. The general practice, however, is to presume that all lawyers are bilingual and to depend on their facility to ensure that their clients receive an adequate understanding of the proceedings and that a witness is examined in his own language.

Lawyers' oral arguments to the Court may be in either language and each is heard frequently. It is reported that to some extent English-speaking lawyers try to use French in their arguments because they feel that thereby they can convey their meaning more clearly to the Court. Also, both English-speaking and French-speaking lawyers have been known to use their second language in order to enable a client to follow and appreciate their argument. The position of lawyers in Hull is important, for when a person is not represented, some linguistic difficulty may arise. For example, a more detailed study of the reactions of the unrepresented accused in the Magistrate's and Social Welfare Courts might reveal some disadvantages for the unilingual person. However in this connection two further points should be

stated. First, these lower level courts deal with matters of lesser gravity in their potential consequences to the individual, and second, those persons most in need of translation facilities, those who speak English only, in most instances make a point of securing legal representation, perhaps in specific recognition of the linguistic factor. These cases apart, it is fair to say by way of conclusion that the overall impression given by the Hull District Courts is one of general and genuine bilingualism.

IV The Legal Profession in the Ontario and Quebec Sectors

In any legal system the lawyer acts as a buffer between the individual and the system. In the capital area, as we saw above, he may also be required to act, quite literally, as an interpreter. Furthermore, the relationship between lawyer and client demands the utmost in confidence and trust. Common language and, to a certain extent, cultural inheritance are no doubt important in this relationship, although they should not be over-rated. In a large area of contact between solicitor and client, concerning, for example, commercial matters and real estate, the relationship can be and is based purely on business considerations. Here the client chooses his legal adviser on the grounds of reputation, previous references and the specialization of the lawyer; a shared language and culture may be of lesser importance. Still, the ability of the legal profession to remove linguistic obstacles and explain the intricacies of a legal system unfamiliar to their clients is clearly a point worth consideration in the capital area. We turn first to the Ontario sector.

Ontario. A study of Wharton's Canadian Legal Directory for 1964 indicates that 289 members of the legal profession are located within Carleton County. This figure includes both government and academic lawyers. Nine of the total group are listed as qualified to practice in Quebec as well as Ontario. An analysis of names suggests that nearly four-fifths of the lawyers are of British origin. More precisely, 225 (or 77.9 per cent) appear to be of British origin, 36 (or 12.5 per cent) to be of French origin and 28 (or 9.7 per cent) to be of other origins. It is interesting to compare these figures with those for the ethnic origin of the general population of Carleton County in 1961: at that time those of British, French and other origins accounted for 54.9, 26.9 and 18.2 per cent of the population respectively.¹²

Table 6.1 shows the structure of legal firms in Carleton County from the standpoint of apparent ethnic origin of members of the legal profession. It will be seen that most lawyers, whatever their origin, practice in firms of two or more partners or associates. The largest firms, however, include very few persons with French names: of the 92 lawyers working in firms with six or more partners, only two seem to be of French origin. As it is generally recognized that the largest firms are best equipped to deal with the more important matters, the relative absence of French Canadians from these firms may dissuade the French-speaking population from seeking the more specialized assistance offered by them.

12. Census of Canada, 1961, Catalogue 92-545, Bulletin 1.2-5.

Carleton County legal profession,
ethnic origin and firm structure, 1964

Size of firm	Firm structure			Number of firms	Distribution of legal profession by firm structure		
	French	British	Other		French	British	Other
22	1	20	1	1	1	20	1
11	0	6	5	1	0	6	5
10	0	10	0	1	0	10	0
9	0	9	0	1	0	9	0
8	1	7	0	1	1	7	0
	0	2	6	1	0	2	6
6	0	6	0	3	0	18	0
	0	5	1	1	0	5	1
5	0	5	0	2	0	10	0
	1	4	0	2	2	8	0
	4	0	1	1	4	0	1
	5	0	0	1	5	0	0
4	0	4	0	5	0	20	0
	1	3	0	1	1	3	0
	0	2	2	1	0	2	2
3	0	3	0	10	0	30	0
	0	2	1	1	0	2	1
	2	1	0	1	2	1	0
	0	1	2	1	0	1	2
	3	0	0	1	3	0	0
2	0	2	0	16	0	32	0
	2	0	0	3	6	0	0
	1	1	0	3	3	3	0
	0	0	2	1	0	0	2
	0	1	1	1	0	1	1
Individuals practicing alone					8	35	6
Total					36	225	28

Source: name analysis of listings in J.H. Wharton (ed.),
Canadian Legal Directory, 1964.

Precise linguistic data for members of the Carleton County legal profession are not available.¹³ However, it can be assumed that all those who speak French can also function well in English, since a lawyer who spoke only French could not survive in the mainly English-speaking legal system of Ontario. Furthermore, an essential qualification for admission to practice in Ontario is the completion of the teaching portion of the Bar Admission Course of the Law Society of Upper Canada. This is taught at Toronto in English only.

Quebec. Wharton's Canadian Legal Directory, 1964, lists 58 lawyers within the Districts of Hull, Pontiac and Labelle. Of these, 41 are located in Hull itself. Seven individuals are noted as being qualified to practice in Ontario as well as Quebec. Roughly three-quarters of the total group appear from their names to be of French origin (43 out of 58, or 74.1 per cent). Those of British and other origins number 14 and one respectively, or 24.1 and 1.7 per cent. In contrast, the general population of Hull, Pontiac and Labelle counties was divided by ethnic origin in 1961 as follows: 81.3 per cent of French origin, 15.2 per cent of British origin and 3.5 per cent of other origins.¹⁴

Table 6.2 presents an analysis of the firm structure and presumed ethnic origin of the legal profession in the Hull, Labelle and Pontiac Districts. No large firms have been established: practice in Hull is evidently characterized by two-man and individual firms.

13. One can only make approximate inferences from the analysis of names and origins, and some degree of error must be assumed.

14. Census of Canada, 1961, Catalogue 92-545, Bulletin 1.2-5.

Table 6.2

The legal profession in Hull, Pontiac and Labelle Districts,
ethnic origin and firm structure, 1964

Size of firm	Firm structure			Number of firms	Distribution of legal profession by firm structure		
	French	British	Other		French	British	Other
4	1	3	0	1	1	3	0
2	1	1	0	1	1	1	0
	2	0	0	4	8	0	0
	0	2	0	2	0	4	0
Individuals practicing alone					33	6	1
Total					43	14	1

Source: name analysis of listings in J.H. Wharton (ed.),
Canadian Legal Directory, 1964.

There are apparently no unilingual lawyers practising in the Hull area, although there is a wide range of fluency ^{in the two languages}. It is said that a unilingual person of either language would have difficulty in surviving in practice. This would be especially true of a unilingual English-speaking person, despite the fact that all non-trial work can be done in English with no disadvantage whatever.

The qualifications for admission to practice in the Province of Quebec consist of university study and a bar admission examination which may be written in either French or English. So long as McGill's law faculty continues to grant recognized law degrees, an English-speaking person should be able to enter practice in Hull.

V Summary and Conclusion

From the preceding discussion we may draw out the following main points. They refer, of course, to the situation as it existed at the time of our enquiry.

1. In the court offices situated in the Hull District, service can be obtained in both languages. In Carleton County, service is offered in English only by the offices of two of the four Division Courts and of the County Court. The remaining offices can give service in both English and French.
2. In the Hull District, legal forms are available and documents are accepted as valid by the courts in either language. In Carleton County, only English forms are used.
3. In the course of judicial proceedings in Hull, that is in the giving of testimony by witnesses and their examination and cross-examination, in the oral arguments of the lawyers, and in the judge's comments and decision, both languages can be used almost interchangeably. In Carleton County, French is rarely employed in the courts.
4. Interpretation is provided on occasion by both systems, but in neither is this done in a thorough-going or fully satisfactory manner.
5. The Quebec legal system attaches greater importance to the language of jurors than does the Ontario one by permitting the determination of the linguistic composition of juries.

6. On both sides of the Ottawa river, the role played by bilingual lawyers in providing the linguistic link between the court and their clients is of great importance to the functioning of the two legal systems.
7. There are lawyers of French and British origin in both sectors of the capital area, although in each case there are proportionately more lawyers than population of British origin.
8. Factors extraneous to the immediate capital area have largely shaped the language usage of courts within it. Thus, the question of appeal to the predominantly English-speaking appeal courts in Ontario has played a major role in requiring the use of English in the courts of first instance, while, in Quebec, section 133 of the B.N.A. Act has obliged both the local and the appeal courts to be bilingual.
9. In sum, there are striking differences in linguistic practice between the two legal systems, with the Quebec courts making a far more liberal provision for the use of both official languages than do the Ontario ones.

Appendix 6.1

Registration of Documents in Carleton County, Ontario

1. Real Property

Two systems of land registration are employed in the County of Carleton. Parts of the County are under the "Land Titles" system and parts under the "Registry Office" system. The former is administered by the staff of the Supreme Court of Ontario office, which includes persons capable of carrying out their duties in both English and French. The "Registry Office" system is administered in two further offices, one for land inside the City of Ottawa and the other for land outside the City. Both of these offices employ persons who can conduct business in French. However, under either system, it is usually not the general public but lawyers that have to deal with an office, and their communications are almost invariably in English.

The forms used at present by the two systems are in English only. As evidence, in part, of title to particular parcels of land, these documents may have to be referred to by persons of either language in the future. However, they are used by lawyers almost exclusively, and as indicated earlier it is at present impossible for a lawyer to qualify for the bar in Ontario without being able to read English with some fluency.

2. Personal Property

The office of the County Court, which had, at the date of our inquiry, no French-speaking staff, handles the registration of bills of sale, conditional sale agreements, and chattel

mortgages. These documents may be in French, but the staff make a practice of asking for a brief written explanation in English of the document to be filed at the time of registration. This facilitates the searching of title to personal property and transfers of registrations between counties. If it becomes necessary to enforce these various contracts translations must be filed for the use of the court.

The terminology of these documents is highly technical and is probably incomprehensible to most laymen. Even when the document is in the language of the person most closely affected (the conditional purchaser or the chattel mortgagor) the only safe course is to obtain a full explanation of the purport of the document from a lawyer.

Security on personal property involves problems similar to those surrounding real estate transactions. The immediate parties may be, for example, the conditional vendor and purchaser, or the chattel mortgagor and mortgagee. Nevertheless third parties may be seriously affected to their detriment, as when the conditional purchaser or mortgagor in possession attempts to sell the chattel as though he had complete title to it. The second purchaser must be protected, as must the conditional vendor or mortgagee. This is the main reason for requiring registration of the document evidencing the transaction. The protection to third parties may require that they have as much knowledge of the purport of the document as the conditional purchaser or mortgagor and hence their language must be considered.

Registration of the documents is done in the county where the purchaser or mortgagor resides or where the property is located. Hence provisions for transfer of the registration to other counties are essential and the language of the staff of the County Court office of the receiving county must also be taken into account.

CHAPTER SEVEN

Political Representation

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I Introduction

Any study of the place of language groups in a community would not be complete if the question of political representation were not examined. To describe the manner in which the needs and wants of a given group are articulated with the structure of political power and expressed through the decision-making process is to approach in some measure a description of that group's integration in or alienation from the rest of the community.

In the National Capital Region there are at present three levels of political jurisdiction - federal, provincial and municipal - at which language groups can find representation. On the federal level, the present electoral boundaries, which have been in effect for six general elections, provide six constituencies entirely or mostly within the Region and one partially so. Under the redistribution which will be in effect at the next general election there will be seven federal constituencies mainly within the area. Provincially, there are at the moment five members elected to the Ontario legislature from seats within the area. Under the redistribution of 1966, there will be six area seats in the future. Four members are elected to the Quebec legislature from constituencies which lie, wholly or in part, within the

Region. On the municipal level, the number of local jurisdictions in the area is high,¹ and the representational systems vary considerably in structure.

On the federal and provincial levels, the constituencies of the Region form only a small percentage of the total seats in the legislatures. Moreover, the decisions which are made by these bodies are, of course, of a national and provincial significance and only rarely of special concern to the Region per se. The municipal councils, however, wholly based and wholly involved with the Region, are another matter, and it is on these that we shall concentrate first. More precisely, the concentration will be on the three cities of the area, Ottawa, Hull and Eastview, which together encompass the bulk of the Region's population, although some reference will also be made to the other municipalities within the Ottawa metropolitan area.

A study of the representation of language groups raises at least four distinct issues, namely:

- (1) the degree to which the existing electoral systems conduce to the direct representation of such groups, which is to say, the degree of correlation between demographic distribution and constituency boundaries;
- (2) the degree to which the potential of the electoral system is utilized by members of language groups to nominate or vote for representatives drawn from within their own group;

1. See Chapter I, p. 1.6.

- (3) the degree to which elected representatives behave and act as spokesmen and agents for constituents from a minority language group; and
- (4) language usage within the legislative body itself.

Three of these issues, the structure of the electoral system, the candidates nominated and elected and the language usage of legislative bodies, may be approached in direct fashion without undue difficulty. However, questions as to how candidates seek the support of the electorate and what roles they play after election in relation to their own and other language groups are far more subtle. To be answered fully they would have required a complicated research programme into the attitudes of the candidates and general public that was not possible for this study. Instead a rather more oblique approach was employed. While rejecting at the outset any automatic assumption that minority language groups can only be adequately represented by one of their own number, an attempt was made to discover how far in fact such direct representation was sought by the minority group and to what extent representation by members of the majority group constituted an acceptable alternative.

A variety of methods were employed in the data-gathering stage of the study. For the three cities, personal interviews with council members and observation of councils in session, together with a study of press

reports, provided much of the current information. In describing their historical patterns of representation, the best criterion for classification would have been the representative's main language or his cultural identification. For much of the period, however, neither of these was available. In their place primary reliance had to be placed on the origins of council members, based for the most part on an analysis of names, and supplemented by historical records and personal recollection wherever possible. This approach naturally has certain limitations, both because it does not measure the desired linguistic and cultural criteria, and because names leave a certain margin of error or indeterminacy. Nevertheless, the technique does produce in broad outline a picture of the part played by the two main linguistic communities in the past political life of the area.

Information on the Councils of the other municipalities was derived largely from answers to a questionnaire filled out by officials of the municipalities themselves, along with press reports and supplementary inquiries by telephone.

II Political Representation: The Cities of Ottawa, Hull and Eastview

In order to see how the municipal electoral systems have been organized and in what manner they have been utilized by language groups, the historical and contemporary patterns of representation on the Councils of the three cities of the area have been examined. One major feature that these municipalities have in common is the geographical division of each city into wards for the election of aldermen, a system not generally used in the other municipalities of the area.

In the Province of Ontario, the Municipal Act allows a municipality to elect its councillors either by ² general vote or from geographically divided wards. ² ¹

Of the five local governments on the Ontario side of the metropolitan area, only Ottawa and Eastview have adopted the latter system; the other three, Gloucester, Nepean and Rockcliffe Park, employing a general vote.

On the Quebec side of the metropolitan area, the four municipalities under the Cities and Towns Act (Hull, Aylmer, Catineau and Pointe-Catineau) have an option of electing their aldermen either by wards or by general vote to numbered seats.³ All four in fact have ward systems. The other four municipalities in the Quebec portion of the metropolitan area (Lucerne, Deschênes,

2. Revised Statutes of Ontario, 1960, ch. 249, s. 31.

3. Statuts Refondus du Québec, 1964, ch. 193, s. 30.

Templeton and West Templeton) come under the Municipal Code, which requires that all council members be elected by general vote but to specific numbered seats.⁴

Important consequences stem from the nature of the electoral system. Where a linguistic minority is concentrated in one or more geographic areas within a municipality, it is likely that a ward system is better designed to ensure the direct representation of that minority than a general vote system within which a minority may easily be submerged. The impact of the electoral system is most clearly seen in Ottawa. This City is unique among the municipalities of the National Capital Region in having not only a ward system for the election of aldermen, but also a four-man Board of Control elected by general vote, which, together with the Mayor, comprises the executive level of civic government in the City.

Ottawa. The office of Mayor has been occupied by 48 individuals since the City's incorporation in 1855. Six appear to have been of French origin, and these held office for a total of 12 man-years in this 112-year period. The remaining 42 mayors were apparently of British origin with one early exception whose background could not be determined.

4. Code Municipal de la Province de Québec, Titre II, ch. II, article 80. Under this arrangement two or more candidates may contest a given seat while other councillors may be returned by acclamation.

The paucity of French-speaking mayors becomes even more striking when it is noted that four of the six mayors of French origin held office in the nineteenth century, and that only three of the total of 12 man-years were served in the twentieth century. The most recent French-speaking mayor held office almost two decades ago. Indeed, in recent years, no French-speaking candidate for the mayoralty has been able to attract serious voter support.

Section 201 of the Ontario Municipal Act provides that any Ontario city whose population exceeds 100,000 must have a Board of Control consisting of the Mayor and four Controllers, all of which are to be elected at large from the city as a whole. At least one exception, however, is known to exist to this provision. The City of Windsor, following a city referendum which favoured the abolition of the Board of Control and its replacement by a City Manager, had a private Act passed in the Ontario Legislature. This Act stated that, "notwithstanding the provisions of the Municipal Act", the Council of the City of Windsor shall be composed of a Mayor and ten aldermen.⁵

Ottawa established a Board of Control in 1908. Table 7.1 shows that since that date the proportion of total man-years accounted for by Controllers of British origin is 69 per cent, while those of French origin have

5. Statutes of Ontario, 5-6 Elizabeth II, ch. 161, s. 16(1).

accounted for 21 per cent. The remaining 10 per cent represents Controllers whose origins were apparently neither British nor French, although it should be pointed out that 18 of the 24 man-years in the latter category were filled by one man.

Table 7.1

City of Ottawa: controllers by origin in
ten-year periods, 1908-1967

Years	Total		Origin					
			British		French		Other	
	N	%	N	%	N	%	N	%
Total	239	100	164	68.6	51	21.3	24	10.1
1908-17	40	100	30	75.0	10	25.0	-	-
1918-27	40	100	33	82.5	7	17.5	-	-
1928-37	40	100	25	62.5	8	20.0	7	17.5
1938-47	40	100	20	50.0	10	25.0	10	25.0
1948-57	39	100	28	71.8	10	25.6	1	2.6
1958-67	40	100	28	70.0	6	15.0	6	15.0

Sources: name analysis, interviews, press reports.

The proportion of French-speaking Controllers has dropped significantly in recent years. No French-speaking candidates have been elected to Board of Control since 1960. The French-speaking Controller who held

office in 1964 was appointed by Council to fill a vacancy created by resignation, and he did not attempt to contest the position in the next election. Recent elections to Board of Control are discussed in more detail below,⁶ but it might be noted at this point that the city-wide nature of Board of Control elections makes it difficult for the 21 per cent of Ottawa's population who are French by mother tongue to elect a candidate of their language to the Board without extensive support from the English-speaking majority.

Taking the case of aldermen since 1869 (the first year from which full data were available), Table 7.2 shows that those of British origin apparently account for 74 per cent of those elected, those of French origin for 23 per cent, and those whose origins are neither British nor French for less than two per cent. The remainder represents some early aldermen whose background could not be accurately determined.

This balance between English- and French-speaking aldermen shows a certain consistency over time. The highest proportion of representatives of French background was reached in the 1920's and 1930's; the periods of lowest representation were at the end of the nineteenth century and in the late 1950's. A comparison of these figures with the census figures for the City as a whole

6. See pp. 7.17 - 7.24.

Table 7.2

City of Ottawa: aldermen by origin in five-year periods, 1869-1967

Years	Total		Origin							
			British		French		Other		Doubtful	
	N	%	N	%	N	%	N	%	N	%
Total	1,926	100	1,419	73.7	451	23.4	29	1.5	27	1.4
1869-74	75	100	57	76.0	17	22.7	-	-	1	1.3
75-79	75	100	54	72.0	17	22.7	-	-	4	5.3
80-84	75	100	54	72.0	17	22.7	3	4.0	1	1.3
85-89	84	100	65	77.4	16	19.0	1	1.2	2	2.4
90-94	120	100	95	79.2	19	15.8	-	-	6	5.0
95-99	120	100	92	76.7	19	15.8	-	-	9	7.5
1900-04	120	100	87	72.5	26	21.7	3	2.5	4	3.3
05-09	104	100	71	68.3	28	26.9	5	4.8	-	-
10-14	90	100	66	73.3	24	26.7	-	-	-	-
15-19	90	100	65	72.2	25	27.8	-	-	-	-
20-24	90	100	62	68.9	27	30.0	1	1.1	-	-
25-29	90	100	56	62.2	31	34.5	3	3.3	-	-
30-34	110	100	80	72.7	30	27.3	-	-	-	-
35-39	110	100	80	72.7	30	27.3	-	-	-	-
40-44	110	100	80	72.7	30	27.3	-	-	-	-
45-49	110	100	82	74.5	28	25.5	-	-	-	-
50-54	119	100	96	80.7	23	19.3	-	-	-	-
55-59	92	100	74	80.4	15	16.3	3	3.3	-	-
60-65	100	100	71	71.0	20	20.0	9	9.0	-	-
66-67	42	100	32	77.3	9	20.4	1	2.3	-	-

Sources: name analysis, interviews, press reports.

(Table G, page 1.92 above) suggests that the population of French origin was somewhat under-represented in relation to aldermen of French origin down to about 1920, slightly over-represented during the 1920's, and under-represented in varying degrees since about 1930. All in all, however, these fluctuations are not very sharp.

If the proportion as between aldermen of British and French origin has remained reasonably constant, the geographic bases from which aldermen of French origin have been elected also show a remarkable consistency over time. Until 1953 such aldermen represented primarily two wards, Ottawa and By, both of which were in the traditionally French-speaking Lower Town area. These two wards together account for 320 man-years, or almost 80 per cent, of the total of 399 man-years served on City Council by aldermen of French origin up to that date. The remaining 79 of these man-years were filled by aldermen from Victoria, St.George's and Central wards, all of which were within a three mile radius of Parliament Hill.

The only significant drop in the otherwise stable proportion of French-speaking aldermen came in the early 1950's when City Council was expanded to include representatives of the suburbs newly-annexed from Gloucester and Nepean Townships. These were largely

English-speaking areas, and in the consequent redrawing of ward boundaries in 1953, two traditional French-speaking wards (Victoria and Ottawa) disappeared. Although

at this time the customary geographic basis of French-speaking representation was thus narrowed, by the 1960's the proportion of French-speaking aldermen has almost resumed its normal level.

To consider the present political geography of Ottawa, a more detailed study of the past five civic elections, those from 1958 to 1966, is necessary. For this period at least, it would appear that a direct relationship exists between the mother tongue of voters and the language of the aldermanic candidates they elect.

Map 7.1 shows the present ward boundaries of the City of Ottawa superimposed on a map of the 1961 census tracts whose residents are 25 per cent and over of French mother tongue. This method of relating vote to language is only a visual aid: because the census tracts do not coincide with ward boundaries, no precise quantitative data can be employed. Nevertheless the visual pattern stands out sharply. Two wards, By and St. George's, would appear to have a heavy concentration of French-speaking residents. Rideau ward has a somewhat smaller concentration, and two others, Elmdale-Victoria and Dalhousie, would appear to contain a still smaller though noticeable proportion of French-speaking citizens. One

Map 7.1 Ottawa Ward Boundaries and Linguistic
Concentration, 1966

ward, Dalhousie, has a relatively strong concentration of citizens of other mother tongues. The remaining wards have heavy English mother tongue majorities.

The distribution by ethnic origin of candidates for aldermen in all wards over the past five elections is given in Table 7.3. It is obvious that French-language candidates are elected only in those wards with strong concentrations of French-speaking residents, the sole exception occurring in the new Alta Vista ward in 1966. Even in this area there are some indications that the French-speaking population may now be proportionately greater than it was at the time of the 1961 census. On the few occasions when French-speaking candidates have presented themselves for election in the predominantly English wards, they have not only lost, but usually lost badly. Conversely, no candidates of British origin have run in By, the ward with the largest concentration of French-speaking residents. In St. George's also, English-language candidates would seem to have high odds against them.

Dalhousie ward presents an intriguing counterpoint to the other wards. Here a heavy concentration of voters of other mother tongues (mainly Italian) helped elect in 1966 an alderman of Italian background, apparently the first in the City's history.

Table 7.3

City of Ottawa: origin of aldermanic candidates in
five elections from 1958 to 1966

Wards	Total		Origin					
			British		French		Other	
	Success- ful	Unsuccess- ful	Success- ful	Unsuccess- ful	Success- ful	Unsuccess- ful	Success- ful	Unsuccess- ful
Total	102	114	76	86	19	17	7	11
By	10	5	-	-	10	5	-	-
Rideau	10	15	8**	10	-	4	2	1
St. George's	10	12	1	7	8	4	1	1
Wellington	10	17	10	16	-	-	-	1
Capital	10	12	10	11	-	1	-	-
Dalhousie	10	9	9	4	-	-	1	5
Elmdale- Victoria	10	10	10	8	-	2	-	-
Queensboro	10	10	10	10	-	-	-	-
Carleton	10	7	10	6	-	1	-	-
Gloucester*	10	14	7	12	-	-	3	2
Alta Vista	2	3	1	2	1	-	-	1

Sources: name analysis of candidates, interviews and press reports.

* Alta Vista was created as a separate ward in 1966. Previously it was part of Gloucester ward.

** Includes one alderman for three terms whose background is both British and French and who is fluently bilingual.

It is not unreasonable to conclude from a study of these elections, as well as from the historical survey given above, that French-speaking voters in Ottawa have tended wherever possible to vote for French-speaking candidates. As may be seen in Table 7.4, the percentage of successful aldermanic candidates of French origin in recent elections, 19 per cent, compares quite closely with the proportion of Ottawa's population of French mother tongue at the 1961 census, that is, 21 per cent. A further comparable figure was provided when the 1966 election returned five French-speaking aldermen out of a total of 22, or 23 per cent.

Table 7.4

City of Ottawa: aldermanic candidates by origin,
1958-1966 summary

Origin	Total candidates		Successful candidates		Unsuccessful candidates	
	N	%	N	%	N	%
Total	216	100	102	100	114	100
British	165	76.4	79	77.5	86	75.4
French	36	16.7	19	18.6	17	14.9
Other	15	6.9	4	3.9	11	9.6

Sources: name analysis of candidates, interviews and press reports.

Present ward boundaries thus seem well designed to ensure French language aldermanic representation in proportion to the French population in the City as a whole. While the French-speaking community in Elmdale-Victoria and Dalhousie wards is submerged by majorities of English and other mother tongues, and is no longer able to elect a French-speaking alderman as was usual in Victoria ward before the 1953 redistribution, this is balanced by the fact that By and St. George's have smaller populations than some of the heavily English-speaking suburban wards.

In point of fact, By ward, the traditional centre of French-speaking Ottawa, has been given careful consideration when ward boundaries were being redrawn. Although the notion of establishing wards on a basis of strict equality of population has often been suggested, there does seem to exist a substantial acceptance within the English-speaking community of the principle of retaining intact the French-speaking wards. As one English-language newspaper remarked in the course of an editorial urging redistribution on a basis of population equality: "... there should be one exception. Ottawa is ethnically a bilingual city [sic], and the predominantly French-speaking wards should be preserved as separate identities".⁷

7. Ottawa Citizen, September 8, 1966.

In the executive branch of municipal government, however, elections to the offices of Mayor and Board of Control are all run on a city-wide basis. Hence political boundaries do not come into consideration, and French-language residents are consequently less able to influence the result of the vote. As mentioned before, the number of French-speaking mayors in Ottawa's history is small.

Since the withdrawal of former Controller Paul Tardif to federal politics in 1962, Board of Control has been without an elected French-speaking member. The idea, however, that the French community ought to have one representative on the executive branch is widely held, not only by spokesmen of that community, but also by the English-language press and English-speaking officials. When a vacancy occurred on Board of Control in 1963, a French-speaking alderman was appointed by Council to fill out the term, one of the main reasons for his selection being that he did represent the French-speaking citizens of Ottawa.

The failure of the last few elections to return a French-speaking controller presents something of a puzzle, in that a gap seems to exist between the general approval given by press and politicians to the inclusion of one French-language member on the Board, and the electorate's

failure to vote in sufficient numbers to elect him. Seven French-speaking candidates have stood for election to Board of Control in the past three elections (1962, 1964 and 1966). In addition one candidate of non-French origin in 1964 (David Dehler), who was himself bilingual, ran a campaign that emphasized greater recognition of bilingualism and recognition of the rights of the French-speaking population of Ottawa. Table 7.5 shows what percentage of the vote for Board of Control each of these eight candidates received, by ward. It should be noted that each elector is given four possible votes for Board of Control; thus 25 per cent of the vote in any ward to one candidate indicates maximum support if all voters use four votes, and over 25 per cent indicates that some electors did not use all their votes.

Again it is clear that a direct correlation exists between the language of voters and the language of the candidates they choose. Thus French-speaking candidates tend to run best in By, St. George's and Rideau wards, and poorly in the heavily English-speaking wards such as Carleton, Queensboro, Capital, Wellington, and Gloucester.

One point which emerges from the above analysis, however, is that while French-speaking voters will, if given the choice, tend to vote for qualified French-speaking candidates in preference to qualified English-

Table 7.5

City of Ottawa: percentage of vote received by selected candidates for Board of Control, 1962-1966

Wards	1966			1964			1962		
	L. Titley	J. L. Paradis	D. Dehler	S. Tardif	J. Villeneuve	H. Racine	S. Tardif	J. Paradis	
Total	13.2	3.8	10.0	5.2	1.3	10.3	5.0	2.2	
By	29.7	6.2	14.7	14.8	3.1	28.2	14.4	5.1	
St. George's	19.0	5.0	12.9	8.4	1.9	18.1	6.1	2.9	
Rideau	17.5	5.4	11.3	7.1	1.8	13.1	7.2	3.4	
Wellington	10.4	3.5	8.9	4.1	1.3	8.2	4.0	1.9	
Capital	10.5	3.0	9.2	3.0	1.0	8.9	2.9	1.5	
Dalhousie	12.4	4.6	8.8	6.8	1.7	9.1	6.4	2.4	
Elmdale-Victoria	12.1	3.6	9.2	5.2	1.3	10.8	6.9	2.2	
Queensboro	9.9	3.1	7.8	3.5	0.9	9.4	4.7	2.4	
Carleton	10.0	2.9	9.3	3.0	0.9	8.9	4.0	2.0	
Gloucester	10.6	3.9	}10.3	3.6	0.9	9.3	4.1	2.4	
Alta Vista	12.5	3.4							
Rank in field	5/7	7/7	5/11	9/11	11/11	6/10	8/10	10/10	

Source: electoral records of the City of Ottawa.

speaking candidates, it is nevertheless just as clear that a French name is not enough in itself to guarantee a substantial vote from French-speaking electors. French-speaking candidates who are generally believed to be unqualified or to lack widespread support, although they tend to run marginally better in predominantly French-speaking areas than in English-speaking ones, do not do well absolutely in terms of actual votes in either type of ward. In other words, language and ethnicity are not the sole criteria used by French-speaking voters. However, given a choice between well qualified candidates of both tongues, French-speaking voters do tend to choose French-speaking candidates.

This tendency to vote for members of one's own language group, or in the case of Mr. Dehler, for bilingual candidates who are seen as sympathetic to the group's interests, finds effective expression in the votes for aldermen. But in the elections for Mayor and Board of Control, it is frustrated by the city-wide nature of the vote. The 1966 election is particularly instructive in this regard.

In 1966 the French-speaking community in Ottawa sought to unite around a single candidate for Board of Control and to make a concerted effort on his behalf. The candidate himself had the support not only of the French-speaking community but of substantial sections of English opinion as well,

but yet failed to get elected. A close look at this election might be useful because of the light it sheds on language and politics in Ottawa.

A few months prior to the December 1966 civic elections, stories began to appear in the Ottawa press concerning the efforts of an association known as La Ligue d'Action Civique, headed by Mr. Pierre Mercier, to elect a French-speaking candidate to Board of Control. The league proposed to put forward a single French candidate so as not to split the French-speaking vote. A convention was arranged which, it was hoped, would be made up of delegates nominated by "tous les groupements représentatifs de la collectivité canadienne-française d'Ottawa..."⁸ It was also planned to carry out a fund-raising drive and to set up an efficient political organization.⁹

These plans met with a certain amount of sympathy in the English language press. As one newspaper stated editorially: "The French-speaking community holds a special place not only because of its size, but also because it is symbolic of French Canada's presence in Confederation. It should, therefore, be represented in the executive arm of the national capital's administration".¹⁰

8. "La Ligue d'Action civique participera à 100 p. 100", Le Droit, le 28 septembre, 1966.

9. Ibid.

10. "The Board of Control Election", Ottawa Citizen, October 5, 1966.

At the League's convention, Mr. Louis Titley, an Ottawa businessman, was chosen as candidate. Mr. Titley proposed a platform which emphasized bilingualism and the rights of French-speaking Ottawans, but touched on many other non-linguistic policy matters as well. His defeated opponent for the nomination promised his full support, and unanimity in the French community seemed to have been thus achieved.

With much of the press, both French and English, behind the Titley candidacy, it was widely predicted that it would be successful. Instead Mr. Titley finished a poor fifth, trailing the fourth place finisher by 9,000 votes and the leading candidate by 23,000 votes.

Mr. Mercier, President of the League, attributed the defeat to the refusal of English-speaking voters to support a French-speaking candidate.¹¹ The candidate himself placed much emphasis on the failure of French-speaking voters to turn out in sufficient numbers, and to give him enough of a majority to carry into the English-speaking wards.¹² An English-language newspaper expressed its disappointment at the result, but denied that prejudice was the reason for Mr. Titley's defeat.¹³ The

11. "...Ottawa demeure sans aucun doute la ville la plus préjugée de l'Ontario", as quoted by Marcel Desjardins, "Un Faible Vote Franco-outaouais et un Rejet de l'Electeur Anglais", Le Droit, le 6 décembre, 1966.

12. Ibid.

13. "The civic election results", Ottawa Citizen, December 6, 1966.

same newspaper in its news columns, however, viewed the results as showing a rejection of "bilingualism and racial origin" in favour of the record of the previous administration which was returned en masse.¹⁴

Table 7.6 shows that Mr. Titley ran worst in those areas where French-speaking voters are fewest. Only in the three most strongly French wards (By, St. George's and Rideau) did he even place among the top four finishers, and only in By ward did he receive exceptional support. The heavily English-speaking suburban and centre-town wards clearly rejected him.

It may be seen from Table 7.6 that the three wards which placed Mr. Titley within the top four positions did not otherwise deviate from the general pattern of voting in the City as a whole. Successful candidates did obtain smaller percentages of the vote in the three wards than they did generally, but this is accounted for by a higher than average vote for Mr. Titley; in relative terms the standing of the other six candidates remained much the same.

One aspect of the continuing failure of French-speaking candidates to achieve election to Board of Control which may be investigated at greater length is the complaint sometimes heard that French-speaking voters

14. Roger Appleton, "Voters reject racial origin for record," Ottawa Citizen, December 6, 1966.

Table 7.6

City of Ottawa: percentage distribution of vote for
Board of Control by wards, civic election of 1966

Wards	Total	Candidates						
		K.Fogarty*	E.Webber*	M.Heit*	E.Jones*	L.Titley	I.Greenberg	J.Paradis
Total	100	23.2	18.5	17.4	17.2	13.2	6.8	3.8
Alta Vista	100	22.8	18.8	19.7	16.6	12.5	6.1	3.4
By	100	20.3	14.6	11.6	12.3	29.7	5.4	6.2
Capital	100	24.2	18.5	18.6	18.4	10.5	6.7	3.0
Carleton	100	23.5	19.7	18.5	18.5	10.0	7.0	2.9
Dalhousie	100	24.2	18.5	15.3	17.8	12.4	7.1	4.6
Elmdale- Victoria	100	24.3	18.0	17.2	18.0	12.1	6.7	3.6
Gloucester	100	22.4	19.3	19.7	16.7	10.6	7.3	3.9
Queensboro	100	24.1	19.2	17.8	19.2	9.9	6.7	3.1
Rideau	100	21.6	18.4	16.0	15.1	17.5	6.4	5.0
St.George's	100	22.2	17.7	14.5	14.7	19.0	6.4	5.4
Wellington	100	23.9	18.3	17.3	17.4	10.4	9.1	3.5
Advance poll	100	23.7	18.3	17.6	16.9	14.6	6.1	2.7

Source: electoral records of the City of Ottawa.

* successful candidate.

do not turn out in sufficient numbers to support candidates from their linguistic community. This complaint has on occasion been coupled with the contention that their turnout is low because the French-speaking community tends to be indifferent to what is an almost entirely English-speaking political environment in Ottawa. This question is crucial to an understanding of the place of the French-speaking community in Ottawa, and it is one which can, in part at least, be analyzed.

Table 7.7 indicates the percentage turnout by ward for the last five civic elections. These percentages are based on a comparison of the votes for Mayor with the official voters lists;¹⁵ the four possible votes per elector for Board of Control makes an accurate estimation of turnout on that basis very difficult.

In support of the hypothesis that French-speaking voters turn out in lower proportions than their English-speaking counterparts, it may be noted from Table 7.7 that the turnout in the three wards with the highest concentration of French mother tongue residents (By, St. George's and Rideau) does tend to be somewhat below the average for the City as a whole. Moreover, Dalhousie ward's low turnout record might be interpreted as reflecting similar indifference on the part of the Italian mother tongue community in that ward.

15. The mayoralty vote would seem to be the best indicator of turnout, since it is probably a safe assumption that on incomplete ballots, the mayoralty section heading the ballot is the least likely to be left blank.

Table 7.7

City of Ottawa: percentage turnout by
ward in voting for mayor, 1958-1966

Wards	Average for five elections	Year				
		1958	1960	1962	1964	1966
City average	53.9	42.2	63.9	58.5	59.2	45.7
Gloucester) 61.2	49	73	67	70	55
Alta Vista						53
Carleton	60.2	46	72	66	68	49
Capital	57.2	47	67	62	61	49
Elmdale- Victoria	55.2	45	64	60	59	48
Queensboro	55.0	42	68	60	59	46
By	53.0	51	64	56	51	43
St. George's	52.2	41	62	56	56	46
Rideau	47.4	33	57	55	53	39
Dalhousie	45.2	39	56	50	46	35
Wellington	44.4	35	56	50	49	32

Source: City of Ottawa electoral records.

But Wellington ward's average turnout (the lowest in the City) cannot be explained in cultural or linguistic terms. Wellington's low figures may, however, be accounted for on economic grounds. Electoral studies have shown a

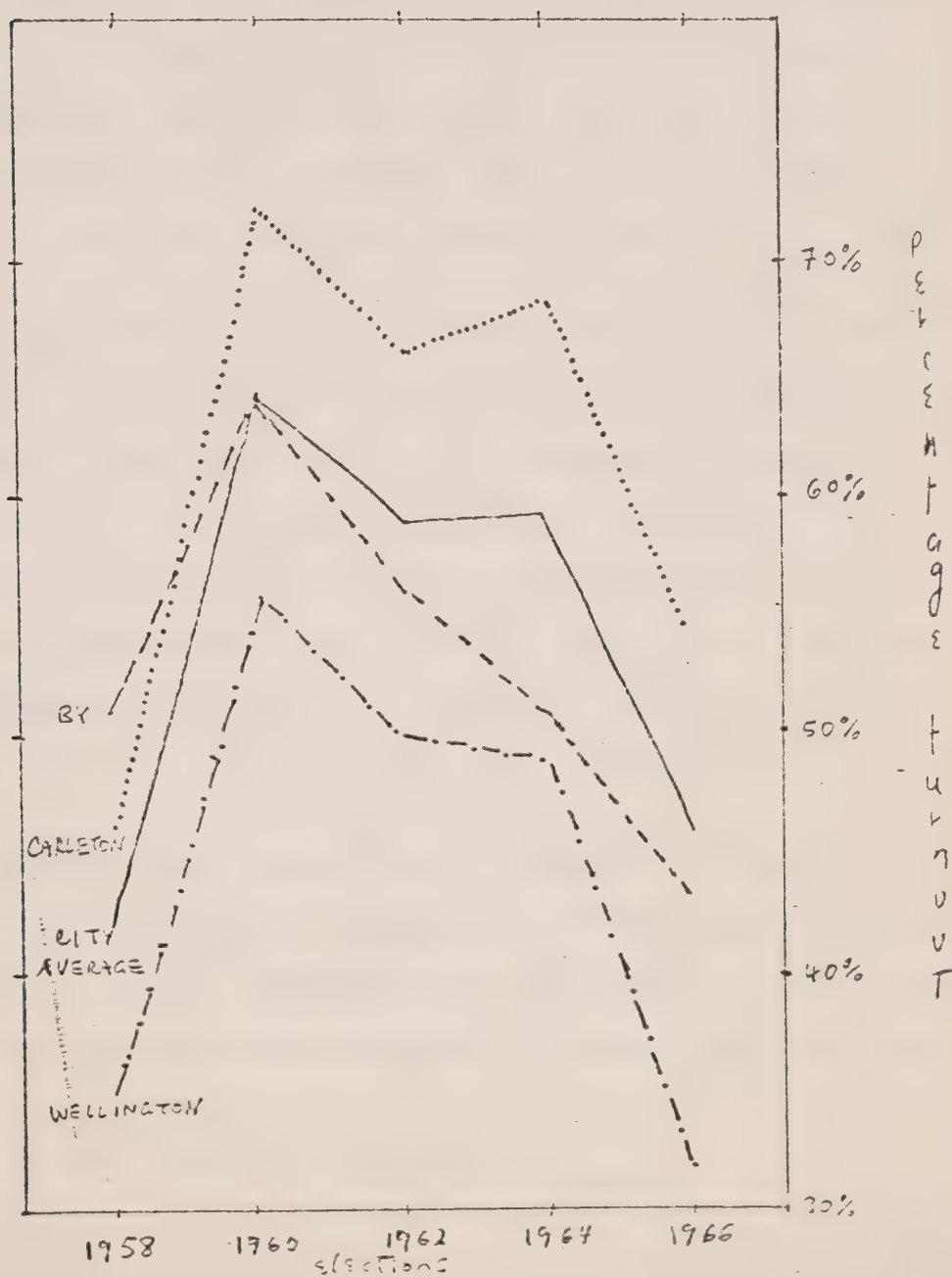
tendency for lower-income areas to be more politically apathetic than higher-income areas, and voters in such areas generally fail to participate in elections in the same numbers as those in more affluent areas.¹⁶ While this suggestion offers a plausible explanation for Wellington ward's poor turnout, it also raises serious doubts concerning the hypothesis of alienation of the French-speaking voter in Ottawa.

Map 7.2 shows the census tracts (1961 census) in Ottawa with less than a \$4000 average income per year superimposed on a city ward map. Viewed this way, the average turnout for By and St. George's wards would appear to be actually higher than one might otherwise expect for wards with lower than average incomes. In particular By ward seems to stand higher than might be expected on economic grounds alone. Diagram 7.1 gives By ward's turnout over the last five elections as compared to the city-wide average, to Carleton ward, which is predominantly English-speaking and of high average income, and to Wellington ward, which is predominantly English-speaking but of low average income. While it is true that By ward's turnout has dropped in relative terms since 1958 (when it was actually the highest in the City), it still has experienced higher turnouts than Wellington (or, as was seen in Table 7.7, Dalhousie), and this gap cannot be explained on the basis of differing levels of income.

16. See, for instance, Seymour Martin Lipset, Political Man (Doubleday & Co., New York, 1963), pp. 188-89, p. 194.

Map 7.2 Voting Turnout and Average Income,
Ottawa Civic Elections, 1958-1966

Diagram 7.1 Percentage turnout (vote for mayor)
by selected wards, Ottawa civic
elections, 1958-1966



It is even possible that the cultural and linguistic interests of the French-speaking community in Ottawa may have stimulated turnouts in the more strongly French-speaking wards which are in fact higher than one would otherwise expect on the basis of income levels, but this hypothesis cannot be proved without further study. In any event it can be fairly stated that in recent years the turnout of voters in the three French-speaking wards in question has been below the city-wide average but apparently higher than the level for other wards with comparable income levels.

Hull. The shift of population in the City of Hull from English-speaking and Protestant to French-speaking and Catholic which occurred in the nineteenth century¹⁷ is reflected in the pattern of political representation. Between 1875 and 1901, six English-speaking mayors held office, but since the latter date all Hull mayors have been French-speaking. As Table 7.8 indicates, the same pattern is repeated with regard to municipal councillors.

Interestingly enough there appears to have been a distinct time lag between the decline of the English-speaking percentage of Hull's population and the decline in the number of English-speaking representatives,¹⁸ which until 1930 were

17. See above, Chapter I, p. 1.93.

18. This observation parallels a similar finding with regard to the City of Montreal. See G. Bourassa, Les relations ethniques dans la vie politique montréalaise (unpublished study prepared for the Royal Commission on Bilingualism and Biculturalism, 1965), p. 62.

Table 7.8

City of Hull: Municipal Councillors by Origin
in five-year periods, 1875-1967

Years	Total		Origin							
			British		French		Other		Doubtful	
	N	%	N	%	N	%	N	%	N	%
Total	1128	100	172	15.2	929	82.4	4	0.4	23	2.0
1875-79	50	100	24	48.0	25	50.0	-	-	1	2.0
80-84	50	100	22	44.0	28	56.0	-	-	-	-
85-89	50	100	15	30.0	33	66.0	2	4.0	-	-
90-94	52	100	18	34.6	34	65.4	-	-	-	-
95-99	60	100	16	26.7	42	70.0	2	3.3	-	-
1900-04	60	100	16	26.7	43	71.7	-	-	1	1.7
05-09	60	100	12	20.0	47	78.3	-	-	1	1.7
10-14	60	100	10	16.7	50	83.3	-	-	-	-
15-19	50	100	6	12.0	44	88.0	-	-	-	-
20-24	36	100	6	16.7	28	77.8	-	-	2	5.6
25-29	68	100	8	11.8	52	76.5	-	-	8	11.8
30-34	70	100	3	4.3	62	88.6	-	-	5	7.1
35-39	70	100	5	7.1	65	92.9	-	-	-	-
40-44	70	100	4	5.7	63	90.0	-	-	3	4.3
45-49	70	100	-	-	68	97.1	-	-	2	2.9
50-54	70	100	-	-	70	100.0	-	-	-	-
55-59	70	100	2	2.9	68	97.1	-	-	-	-
60-64	70	100	5	7.1	65	92.9	-	-	-	-
65-67	42	100	-	-	42	100.0	-	-	-	-

Sources: name analysis, interviews, press reports.

consistently more numerous than the proportion of English-speaking residents in the City as a whole. For example, in 1881, when 86 per cent of the population of Hull were of French ethnic origin and only 13 per cent of British origin, there was an English-speaking mayor and four English-speaking councillors out of a total of 10. By 1901 the proportion of the Hull population of British origin had fallen to 11 per cent; nevertheless one third of the councillors were English-speaking and an English-speaking mayor served for part of the year. In 1921, when residents of British origin accounted for only 7.6 per cent of the population, one aldermen out of six was still English-speaking. While over-representation of the English-speaking population continued until about 1930, since then the situation has been reversed, with the percentage formed by the English-speaking residents in the City as a whole being consistently larger than the proportion of English-speaking councillors elected.

The changing ethnic composition of Hull Council over the years may be most effectively illustrated if Table 7.8 is condensed into 25-year periods. From 1875 to 1899, 62 per cent of all the aldermen were of French origin and 36 per cent of British origin; for the first quarter of the twentieth century, the French proportion had risen to 80 per cent and the British had fallen to 19 per cent; from 1925 to 1949, the French proportion rose still further to 89 per cent and the British fell to 6 per cent; finally for the period from 1950 to 1967, the French proportion reached 97 per cent and the British proportion dropped further to 3 per cent.

Of the 172 man-years attributable to councillors of British background since 1875, 96 (or 56 per cent) were accounted for by representatives of a single ward, number one, which until its disappearance with the 1954 redrawing of ward boundaries occupied much of the area now included in Wright ward in west-central Hull. Up to 1914 this ward consistently elected English-speaking candidates. After this date the number of English-speaking aldermen elected from this ward began to decline steadily, so that by the time of its disappearance it had not returned such an alderman at any of the four preceding elections.

Since 1964 there would appear to have been no representatives of British origin on the Hull Council. Indeed, in the civic elections of 1967, no English-speaking aldermanic candidates were even nominated.

Eastview. In 1961, the majority of Eastview residents (61 per cent, to be precise) were of French mother tongue, but the English language group comprised a substantial minority of 34 per cent. Full data on the composition of Eastview Council are available only from 1927: the study period, consequently, will be from 1927 to 1967.

Of the eight men who have held the office of mayor in Eastview, only one was a member of the English-speaking community. He served for three years, from 1929 to 1931. There have been seven French-speaking mayors, who together have served for 36 man-years out of the total 39, that is, 92 per cent of the time.

Until 1963, when Eastview was incorporated as a city, the residents of the municipality also elected a Reeve and Deputy Reeve to Carleton County Council. Of the 70 man-years in this period, apparently none at all were filled by an English-speaking representative, 69 being served by French-speaking representatives and one by a Reeve whose background was neither French nor British.

Table 7.9 shows the distribution by origin of Eastview councillors during the study period. It will be seen that the aldermen of French origin account for the great majority of man-years served. Moreover, there has been a more or less steady increase in the proportion of aldermen of French origin since 1927, when they comprised about three-quarters of Council, to the present day when all members are French-speaking. Correspondingly there has been a rather uneven but nevertheless visible decline in the number of aldermen of British origin.

Table 7.9

City of Eastview: Municipal Councillors by Origin
in five-year periods, 1927-1966

Years	Total		Origin					
			British		French		Other	
	N	%	N	%	N	%	N	%
Total	250	100	32	12.8	212	84.8	6	2.4
1927-31	30	100	2	6.7	23	76.7	5	16.7
32-36	30	100	6	20.0	23	76.7	1	3.3
37-41	30	100	6	20.0	24	80.0	-	-
42-46	30	100	6	20.0	24	80.0	-	-
47-51	30	100	6	20.0	24	80.0	-	-
52-56	30	100	2	6.7	28	93.3	-	-
57-61	30	100	4	13.3	26	86.7	-	-
62-66	40	100	-	-	40	100.0	-	-

Sources: name analysis, interviews, press reports.

Representation of the minority language group, as in Ottawa and Hull, has been largely dependent on one or two wards. Thirty-three of Eastview's 38 councillors of British and other origins have been elected from the first and third wards. It is of some interest to note that although ward number two, in the south-east corner of the City,

would appear to have either an English-speaking majority or at least some rough balance between the two language groups,¹⁹ it has nevertheless not returned an English-speaking councillor for over three decades. Indeed, no candidate of English mother tongue has even been nominated in recent elections in this ward, or for that matter in any other of the City's wards.²⁰

In summary, a pronounced gap has existed between the relative size of Eastview's English-language minority and the proportion of representatives of English-speaking background. It seems fair to conclude from this that the English-speaking population is sufficiently satisfied with representation by bilingual aldermen of French mother tongue as not to seek the election of a candidate from within its own group.

19. Based on 1961 census figures. As we noted before, it is not possible to relate census tracts to ward boundaries exactly, but an estimate may be made.

20. It would have been interesting to compare voter turn-out in the second ward with that in the other wards. However, turn-out figures by ward are not available.

III The Language Usage of Municipal Councils

The pattern of language usage of municipal councils depends upon a number of factors. The provincial setting is important, whether this be expressed in the form of statutory requirements or merely of the accumulated weight of custom and expectation. The distribution of languages within the municipality and in the vicinity is also relevant as this determines the language in which items of council business originate. Not to be forgotten are the linguistic abilities of councillors themselves, which may impose limits on the ability of a council to accommodate a linguistic minority. The combination of these factors and others leads to sufficient variation among the 13 municipalities of the metropolitan area to justify an examination of each one in turn. The three cities will be treated first.

Ottawa. Despite the election of a significant number of French-speaking aldermen throughout Ottawa's history, there is remarkably little recognition of French in the proceedings of City Council. The language employed at council meetings is almost exclusively English, as French-speaking councillors must use this language to be understood. Such oral French usage as exists appears for the most part to be limited to

informal discussion between aldermen of French mother tongue. Occasionally, however, a certain symbolic place is accorded the French language, as, for example, when the City is welcoming French-speaking dignitaries.

This predominance of the English language may be illustrated by the events of the last council session of 1965, when the mayor was congratulated by council members for having played so effective a role in the administration of the City. The gratitude of the Council took the form of two speeches, one delivered in English by an English-speaking alderman, the other in French by a French-speaking representative. The occurrence of a French-language speech at Ottawa's City Hall was deemed sufficiently novel to warrant mention in both the capital's English-language newspapers. Indeed one of the papers organized its coverage of the event, which it termed a ²¹ "breakthrough", around this theme.

In the area of written usage, French is to all intents and purposes non-existent: council documents, agenda and records appear in English only. What correspondence there is between councillors and department heads was reported to be

21. Ottawa Journal, December 21, 1965; Ottawa Citizen, December 21, 1965.

almost entirely in English. This pattern obtains even when the alderman and the department head are both of French mother tongue. According to the statement of one French-speaking alderman, it was pointless to send a letter in French, for if the department or branch head happened to be out of the office there would not necessarily be another French-speaking person able to deal with the matter.

Even in relations between the Ottawa City Council and the general public, the French language has little place. When information is distributed through the mass media, the French media are normally left to make their own translation. Of the Council's 25 members in 1965, only a few, so far as could be ascertained, had a policy of answering French-language letters from the public in French.

One major factor which limits the public recognition of French by Ottawa City Council is the linguistic capability of the members themselves. It would appear that the language skills of council members do not differ greatly from those of the City at large. Though the mayors of recent years have not been completely unilingual, the City has not had a chief magistrate capable of functioning fluently in English and French since the mayoralty of Mr. G.A. Bourque in 1950, who was of French mother tongue.

Of the four present controllers, none is fluently bilingual, though one is known to have a moderate knowledge of French. Of the 22 present aldermen, six are understood to be fluently bilingual (including five of French mother tongue), and two others to have a moderate knowledge of French. So far as is known, this pattern of linguistic ability is much the same as it has been during the recent past. At no period, to the best of our knowledge, has a unilingual French-speaking member²² been elected to the Ottawa Council.

Hull. A resolution passed by the Hull County Council on October 1, 1856, declared "that the Council do consider that it will not be detrimental to the Inhabitants of the Municipality to publish any By-law or Resolution made passed by this Council in session in the English Language only". At this time not a single French-speaking member sat on the Council, and this was to continue to be the case until the election of Hercule Gravel in 1868. Five years later there were three French-speaking councillors, and these made an unsuccessful attempt to introduce French into the County Council. It was only after Hull's incorporation as a city in 1875 that the French language²³ came into use in municipal politics.

22. This paragraph is not intended as a comment on the linguistic capacity of members of Council in private situations: it is concerned solely with the public use of the two languages as demonstrated on official occasions.

23. L. Brault, Hull (Les éditions de l'University d'Ottawa, 1950), p. 42.

Today all that remains of the past predominance of English are a few old by-laws in this language that have never been taken off the books. The language of debate at council meetings is now almost exclusively French, and this applies also to communications between the Council and the administration. Council documents, notes, agenda and minutes are all in French only.

If Hull Council is unilingual in its internal practices, externally it presents a different picture. Public notices in Hull, as we have noted in an earlier chapter,²⁴ are issued in bilingual form. The general policy of council members appears to be to answer letters in their original language. One exception to the usage of French only in council meetings is that matters submitted to the council in English are generally dealt with without being translated. English, in short, is in a stronger position in Hull than is French in Ottawa.

One factor which contributes significantly to this stronger position is the far wider incidence of bilingualism on the Hull Council. Although all present council members are of French mother tongue, they are all reported to be at least functionally bilingual, that is, capable of handling council business in either French or English.

24. See Chapter IV, pp. 4.4 - 4.5.

Eastview. The Eastview Council holds a bilingual centre between the English and French poles of Ottawa and Hull. Despite the fact that all the members of the present Council are of French background, the position of English is strong. Given the institutional context of Eastview as an Ontario municipality, this is scarcely surprising.

The general trend appears to be for formal and written communications to be carried on in English, while informal and oral activities are conducted in French. The minutes of council meetings are kept only in English. Motions before the Council may be drafted in English, debated in French, and then the final document drawn up and approved in English. This pattern holds true for communications among councillors and civic department heads as well. Correspondence received by the Council is read in Council and answered in the language in which it originates.

According to interviews, all members of Eastview's present Council, while of French mother tongue, nevertheless have a sufficient grasp of English to be able to deal with council matters in either language. It was further reported that even council members of English mother tongue elected in the recent

past have been bilingual. In fact, Eastview has not sent a unilingual member to its Council for close to two decades, the last being a councillor of English mother tongue.

The other municipalities. It will be recalled from earlier chapters that, in addition to the three cities of Ottawa, Hull and Eastview, ten other municipalities are included within the metropolitan area. Seven of these lie on the north shore, and three on the south, or Ontario, shore.

To begin with the Ontario side, Nepean Township, which contained a population almost 90 per cent English-speaking by mother tongue at the 1961 census, has a Council of seven members which is entirely English-speaking in its composition and unilingual in its proceedings. Because the milieu is so predominantly English-speaking, language issues have not arisen in Nepean, and no occasion for the use of French on Council could be recalled by a municipal spokesman.

Similarly, the Village of Rockcliffe Park, whose population is also preponderantly English-speaking, reported that it has not found any occasion for the use of French in recent council business, although members are said to be capable of handling matters in French should the need arise. All five members of the present Council are of English mother tongue.

The Township of Gloucester, where some 40 per cent of the citizens are French-speaking, presents a partial contrast to Nepean and Rockcliffe Park. The present Council was reported to have three bilingual members out of a total of five, one of these being of French mother tongue and two of English mother tongue. The remaining two members apparently speak English only. Council proceedings are predominantly in English, and the minutes of Council meetings are kept in English only. On rare occasions French may be used to accommodate a French-speaking ratepayer appearing before Council, in which case a councillor who can speak French will interpret for those who require it.

Municipalities on the Quebec side show a wide divergence of linguistic makeup, ranging from Lucerne where the population is divided fairly evenly between those of English and French mother tongue, to Pointe-Gatineau where the population is almost entirely French-speaking. Aylmer, where 41 per cent of the population were English-speaking at the 1961 census, accords recognition to both languages in its council proceedings, and council minutes are kept separately in both languages. The actual proportion of the two languages used would seem to vary with the linguistic abilities of the mayor who presides over

Council. Under the last mayor, who spoke English only, it was estimated that English was used in Council discussion about 70 per cent of the time. With the present mayor, who is bilingual, and with a Council made up of four French-speaking members, all of whom are bilingual, and three members of English mother tongue, one of whom is bilingual, the two languages are now reported to be used in about equal proportions.²⁵

As in Aylmer, language usage in the Lucerne Council has been changing during recent years. It was reported that several years ago council proceedings were entirely in English. The place of French is apparently growing, its use now being estimated at about 25 per cent of the time. Four of the seven present councillors are of French mother tongue, all of them being bilingual, whereas the three English-speaking members are all more or less unilingual. There are English and French versions of council minutes.

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25. However, a very recent attempt to present a brief in French only to the Aylmer Council ran into difficulty because the group presenting the brief had not provided a translation for the benefit of the two unilingual, English-speaking councillors. Cf. "Le Conseil d'Aylmer approuve la vente des boissons alcooliques le dimanche", Le Droit, le 6 septembre, 1967. This would seem to be a case of the onus being put on the citizens to accommodate their language usage to that of their elected representatives - an apparent reversal of what might be expected.

Deschênes, whose population is predominantly French-speaking, uses both languages in its council meetings, but French appears to be employed more often than English. At present five out of seven councillors are of French mother tongue, and only one of the two English-speaking members is unilingual. Written records of council meetings are kept in French only.

Turning to the east bank of the Gatineau river, the municipalities of Gatineau and Pointe-Gatineau, both overwhelmingly French-speaking, have Councils whose meetings are conducted entirely in French. In Pointe-Gatineau, at present and for the past several years, all councillors have been French-speaking. In Gatineau, six are currently French-speaking and one is of English mother tongue, but it is traditional for English-speaking members to use French in Council. In both towns, however, all councillors are reported to be bilingual. The minutes of the two Councils are kept only in French.

Templeton, again preponderantly French-speaking, also conducts its council meetings in French only and keeps council minutes in the original language. At present all seven councillors are of French mother tongue, and six of these are bilingual. It was further reported that, while there have been councillors of British origin in the past, they had always functioned in French at council meetings.

West Templeton, which is predominantly French-speaking but with a substantial English-speaking minority, uses both languages in its council meetings, although English was said to be employed more often than French. Minutes are kept either in English or French according to the language of the debate.²⁶

What stands out from this survey of language usage in the 13 area municipalities is the correspondence between the linguistic usage of elected representatives and those of the general population. This is no doubt to be expected of elected representative bodies. The significant consequence is that, as was seen to be the case for the working population at large,²⁷ the bulk of the elected representatives of French origin are functionally bilingual while most of those of British origin are not so. The presence of unilingual members on a council appears to have a very strong influence on the language practices of that body. This is particularly noticeable on some of the smaller councils where one or two unilingual members may sway the balance of language use heavily in one direction.

26. We were unable to reach a representative of West Templeton in order to obtain information on the language background and abilities of the municipality's councillors.

27. See above, Chapter I, p. 1.76.

In comparing language usage and political representation in the municipalities of the area, the central paradox of this chapter emerges: that where there is ample recognition of minority language rights, as in Eastview or Hull, the minority group exhibits no strong tendency to seek representation by one of its own number; where the minority language is accorded little recognition, as in Ottawa, political representation of the minority is vigorously pursued. This tendency may be seen most clearly in the municipalities which elect their aldermen by wards: it may also be present in those municipalities where Council members are elected at large by the whole electorate, but in these it is more difficult to assess accurately. The same tendency may be studied and described not only in terms of elected representatives but also in the nomination of unsuccessful candidates of the minority group and in the number of votes they attract. It is possible that an analysis of the appeals made by each candidate to the electors, which was not possible for this study, would reveal the pattern even further.

Yet on reflection this lack of correspondence between representation of language groups and recognition of minority language rights may be less of a paradox than it appears at first sight. For where a minority group sees its language inadequately recognized, it may well deem it important

to elect strong spokesmen from within its ranks to defend group interests. Where, on the other hand, the minority's language is fully recognized and free from jeopardy, its selection of candidates for public office and its patterns of voting will perhaps be influenced more strongly by other considerations.

IV Political Representation: Federal and Provincial

The National Capital Region has been represented for the last 14 years in the federal House of Commons by six members whose constituencies are wholly or mainly within the area.²⁸ Three are urban ridings which lie at the core of the Region (Ottawa West, Ottawa East, and Hull): the other three are mixed urban-rural ridings which form an outer ring (Carleton, Russell, and Gatineau - the latter riding having about three-fifths of its population within the Region according to the 1961 census). Table 7.10 shows the composition of the ridings by mother tongue and by ethnic origin.²⁹ Six general elections and one by-election have been carried out under the same apportionment of seats; the 1961 census figures are particularly relevant since five of these six elections were held within four years before and after the census year.

The figures in Table 7.10 show that two ridings (Hull and Gatineau) have a substantial majority of French-speaking residents;

28. See Map 7.4A. A seventh constituency, Pontiac-Temiskaming, impinges on the National Capital Region in the north-west, but this overlap is marginal only. By the 1961 census, it would appear that only 3 per cent of the riding's population is within the limits of the Region. The riding of Lanark also overlaps to an even more limited degree on the western, edge of the Region on the Ontario side.

29. See also Map 7.3A.

MAP 7.3A

Linguistic Concentrations and Federal Electoral Boundaries,
Ottawa Metropolitan Area, for the elections 1953, 1957,
1958, 1962, 1963 and 1965

MAP 7.3B

Linguistic Concentrations and Revised Federal
Boundaries, Ottawa Metropolitan Area, 1966

Table 7.10

National Capital Region: population by mother tongue and ethnic origin of federal constituencies, percentages, 1961

(a) mother tongue					
Constituency	Total		English	French	Other
	N	%			
Carleton	130,497	100	87.4	6.1	6.4
Gatineau	58,771	100	27.5	70.4	2.2
Hull	86,563	100	9.0	89.7	1.3
Ottawa East	51,828	100	44.0	48.8	7.2
Ottawa West	67,131	100	65.1	20.1	14.8
Russell	124,368	100	54.4	40.4	5.2

(b) ethnic origin					
Constituency	Total		British	French	Other
	N	%			
Carleton	130,497	100	70.8	10.4	18.8
Gatineau	58,771	100	23.2	72.2	4.6
Hull	86,563	100	8.4	88.7	2.9
Ottawa East	51,828	100	33.7	51.6	14.7
Ottawa West	67,131	100	51.3	25.9	22.8
Russell	124,368	100	42.5	42.3	15.2

Source: figures supplied by the Dominion Bureau of Statistics.

two (Carleton and Ottawa West) have substantial English-speaking majorities. One (Ottawa East) has slightly more French- than English-speaking voters, while in the remaining riding (Russell) there are slightly more English- than French-speaking voters.

To move to the area of actual voting behaviour, the ridings concerned show a strikingly consistent pattern over the period considered. Four ridings have elected only French-speaking candidates, and two have elected only English-speaking candidates. This pattern is without exception, and it relates fairly closely to the mother tongue distribution in the ridings. Russell is an exception to this correlation, however, for in that riding an electorate which is more English- than French-speaking has consistently elected French-speaking candidates. It should be pointed out that in terms of ethnic origin the French and British groups in Russell are roughly equal.

Table 7.11 shows the distribution by origin of the candidates for the six National Capital Region seats over the last six elections (1953, 1957, 1958, 1962, 1963 and 1965). A slight majority (78 out of 145) of all candidates nominated were French-speaking. This majority increases to 42 out of 74, or 57 per cent, if candidacies from other than the two major parties are excluded. It is worth noting at this point that only candidates of major parties were successful in the period considered, and in only five of 37 contests did a candidate of another party or an independent finish second. Of the successful major party candidates, the proportion

Table 7.11

National Capital Region: candidates at federal elections by origin, 1953-1965

Constituency	Origin	Successful candidates	Unsuccessful candidates		
		Major parties *	Major parties *	Other parties *	Other *
Total	French	25	17	27	9
	British	12	18	32	--
	Other	--	2	2	1
Carleton	French	--	--	--	--
	British	6	6	11	--
	Other	--	--	--	--
Russell **	French	7	2	7	--
	British	--	5	5	--
	Other	--	--	--	--
Ottawa East	French	6	5	3	2
	British	--	1	6	--
	Other	--	--	1	--
Ottawa West	French	--	--	--	--
	British	6	6	9	--
	Other	--	--	1	1
Hull	French	6	6	10	5
	British	--	--	--	--
	Other	--	--	--	--
Gatineau	French	6	4	7	2
	British	--	--	1	--
	Other	--	2	--	--

Sources: name analysis and press information.

* Major parties: Liberals and Progressive Conservatives. Other parties: C.C.F., N.D.P., Social Credit, and Ralliement des Cr ditistes. Other: unaffiliated candidates and miscellaneous parties.

** Including 1959 by-election.

of French origin increases yet again to 25 out of 37, or 68 per cent. This contrasts sharply with the 41.6 per cent of the population of the six ridings which is French by mother tongue. The six per cent of the area population of other mother tongues has not been reflected at all among the candidates elected, while the English-speaking proportion of the population in 1961, 52.4 per cent, may be compared with that of the candidates elected, 32 per cent.

The wide variation existing between the linguistic proportions of the general population and those of the elected representatives may be explained in part by the unequal apportionment of voters between the six ridings. Carleton riding, 87.4 per cent of whose population was of English mother tongue in 1961, had in 1965 almost 11,000 more registered voters than the combined total of the two most heavily French-speaking ridings (Hull and Gatineau). The disparity in the proportion of the English-speaking population and elected candidates may be further accounted for by the situation in Russell, which despite an English-speaking population of 54.4 per cent of the total has, as noted earlier, consistently elected French-speaking candidates during the period studied.

It is possibly of interest that Russell riding in these elections included within its boundaries the City of Eastview. As was seen in the section on municipal representation in this chapter, the English-speaking population in Eastview does not seek representation by English-speaking candidates at municipal elections, but apparently is willing to choose its representatives from among French-speaking candidates. The same factor may have operated to some degree in federal elections.

Another clue to the voting behaviour of Russell riding may be found in the fact that for almost 80 years the riding has returned only Liberals to Parliament. In the seven elections studied (including the 1959 by-election) the Liberals nominated only French-speaking candidates. The Conservatives, on the other hand, nominated five English- and only two French-speaking candidates. As it would appear that the Liberal Party nomination is almost a determining factor in Russell elections, it may well be that the language of the candidate is of secondary importance.

This high degree of party fidelity may be generalized for the Region as a whole. Only one riding, Carleton, elected candidates from more than one party in the period studied, and the single instance of the election of a Liberal by a narrow majority in 1963 was a unique event in the riding's history since Confederation. The Liberal victory was reversed in 1965 with the return of the former Progressive Conservative member. No other riding in the Region has deviated from allegiance to a single party (the Liberal Party in all ridings but Carleton) since the 1920's or in some instances even earlier.

Further, the turnover of elected members is low. Three ridings (Ottawa East, Ottawa West, and Hull) elected the same candidate in all six elections. Russell elected one man three times, and the present incumbent four times if the 1959 by-election is included. Gatineau and Carleton each elected one man four times,

and two others once. Three of the five instances of change in members may be attributed to the death or retirement of the incumbent. The only other instances were in Carleton, where the incumbent was defeated in 1963 but regained his seat in the following election.

In short, the Region has tended strongly toward traditional voting patterns, where party allegiance and loyalty to sitting members are strong influences on voting behaviour. In this context, it is scarcely surprising that on linguistic grounds as well the constituencies of the Region exhibit stable voting patterns. Indeed these three elements of stability, that is, fidelity to candidate, to party, and to language group, would seem to be interrelated and to reinforce one another.

In 1965 a nationwide redistribution of federal seats was undertaken on the basis of the 1961 census. The electoral geography of the region has been changed considerably as a result.

On the Quebec side,³⁰ the riding of Hull has been altered so as to exclude the municipalities east of the Gatineau river that were formerly included, and to introduce Aylmer, Lucerne and Deschênes into the riding. This will probably increase the size of the English-speaking minority in the constituency. The eastern edge of the old Gatineau riding plus most of what was formerly Labelle make up a new Gatineau constituency, which includes the municipalities of Gatineau, Pointe-Gatineau, Buckingham and Thurso. Much of the old Gatineau riding has been absorbed by the

30. See Map 7.4B.

new Pontiac riding, which comprises mainly the eastern end of the old Pontiac-Temiskaming riding. The effect of this will likely be to introduce a substantial number of English-speaking voters into the new constituency of Pontiac. According to the 1961 census, Pontiac County was approximately 55 per cent English by mother tongue. That the provincial constituency of Pontiac over the past few elections has elected only English-speaking candidates is also significant. However, the new Pontiac riding, while including a larger part of the National Capital Region than did the old riding, will still only overlap the Region marginally.

On the Ontario side, the 1965 redistribution seems to suggest a more fundamental redrawing of the political boundaries. A third seat has been added to the City of Ottawa; the old riding of Russell has been altered, under the name of Ottawa-Carleton, so as to exclude Eastview and certain sections of Ottawa; the old riding of Carleton, now known as Grenville-Carleton, has been merged with a more southerly riding and has lost all the area it formerly held within the City of Ottawa itself, as well as much of the suburban and rural area it used to cover in the southwestern portion of the National Capital Region. The latter area is now covered by the new riding of Lanark and Renfrew which extends up the Ottawa valley.

The effects of these changes may be suggested by a comparison of Maps 7.3A and 7.3B. Prima facie, it would appear that the majority of French-speaking voters, who were previously split between Ottawa East and Russell, have now been lumped together in the new

MAP 7.4A

Federal Electoral Boundaries in the
National Capital Region, for the
elections of 1953, 1957, 1958, 1962,
1963, and 1965

MAP 7.4B

Revised Federal Electoral Boundaries
in the National Capital Region, 1966

Ottawa East constituency. The new Ottawa Centre would appear to have a substantial proportion of English-speaking voters. As a result of all these changes, it now seems that only one of the five Ontario ridings has anything approaching a French-speaking majority. While it would be unwise to predict future voting behaviour on the basis of constituency boundaries alone, it does seem likely that the opportunities for French-speaking voters to back French-speaking candidates will be somewhat diminished in the Ontario sector of the capital area as a result of redistribution.

One other result of redistribution is to make the boundaries of federal constituencies coincide even less directly with the territory of the National Capital Region. The old system provided for six constituencies with populations wholly or mainly within the Region and two which overlapped only very marginally. As Map 7.4B shows, the new system has five constituencies with populations wholly or mainly within the Region, four (Pontiac, Gatineau, Grenville-Carleton, Lanark and Renfrew) whose classification as capital area ridings is somewhat doubtful, and still another (Glengarry-Prescott) which overlaps marginally the corner of the National Capital Region.

Ontario. For the last three provincial general elections (1955, 1959 and 1963), the Ontario sector of the National Capital Region has been represented in the legislature by members elected from five ridings lying wholly or partly within the Region.³¹ In these elections a total of 46 candidates have presented themselves. Table 7.12 analyses them by origin.

Table 7.12

National Capital Region, Ontario sector: candidates at provincial elections by origin, 1955-1963

Origin	Total	Successful candidates	Unsuccessful candidates		
		Major parties*	Major parties*	Other parties*	Other*
British	29	10	9	10	-
French	13	5	4	3	1
Other	4	-	2	2	-

Sources: name analysis, press reports.

* Major parties: Progressive Conservatives and Liberals.
 Other parties: C.C.F., N.D.P., and Social Credit.
 Other: unaffiliated candidates and miscellaneous parties.

31. See Map 7.5A. A sixth constituency, Lanark, very slightly overlaps the western border of the Region.

Map 7.5A

Ontario and Quebec

Provincial Electoral Boundaries

in the National Capital Region,

1952 to 1966

Map 7.5B

Ontario and Quebec Provincial Electoral
Boundaries in the National Capital Region, 1966
(showing 1966 revisions in Ontario)

Of all 46 candidates, there have been 63 per cent of British origin and 28 per cent of French origin. The two major parties nominated 30 candidates of whom 63 per cent were of British origin and 30 per cent of French origin. Among the successful candidates, for every one candidate of French origin there have been two of British origin. No candidate of any other origin has been elected.

Because provincial ridings do not coincide with the districts used by the census, no precise statistics on the distribution of their populations by mother tongue are available. However, a certain pattern does emerge from the results of the three elections. French-speaking representation seems to have centered on the Ottawa East riding where all candidates, both successful and unsuccessful, of the two major parties have been French-speaking, and to a lesser extent on Russell, where two out of the three successful candidates have been French-speaking, and five out of a grand total of nine candidates in the three elections have been of French origin. In Ottawa South, Ottawa West and Carleton, only candidates of British and other origins were nominated.

The provincial Representation Act of 1966 changed the boundaries of the area ridings and added a new one, thus giving six Ontario seats to be found mainly within the National Capital Region. The new riding, one of four seats within the Ottawa metropolitan area, is made up of parts of the old Ottawa West and Ottawa East ridings, and will be known as Ottawa Centre. The old Russell riding has become Carleton East, which is almost entirely within the boundaries of the National Capital Region, as also is the revised Carleton riding. However, two other constituencies overlap the Region to a limited extent: Prescott and Russell riding includes a fairly extensive strip on the eastern edge of the Region, while a smaller strip on the western edge forms part of Lanark riding. Maps 7.5A and 7.5B compare the old and new constituency boundaries.

Map 7.6B suggests that under the new distribution Ottawa East will continue to include the heaviest concentration of French-speaking voters. The new Ottawa Centre would appear to have a smaller concentration of French-speaking voters and also the highest concentration in the City of citizens of other mother tongues. Carleton East seems to have lost many of the French-speaking voters included within the boundaries of its predecessor, Russell.

Quebec. During the last five elections in the Province of Quebec (1952, 1956, 1960, 1962 and 1966), the north shore of the National Capital Region has been included within the boundaries of four ridings.¹ Only one of these seats (Hull) is entirely within the area concerned: parts of the other three extend beyond it. Gatineau and Papineau ridings overlap sufficiently to make their consideration advisable, but Pontiac overlaps only marginally, and its voting behaviour is of only doubtful relevance to the National Capital Region.

If Pontiac is excluded from consideration, a total of 42 candidates have been nominated within the Region during the least five elections. Table 7.13 analyses these by origin. It is immediately apparent that candidates of French origin predominate to the virtual exclusion of all others. Seemingly, it is not felt worthwhile or possible for the English-speaking minority on the Quebec side to nominate candidates from their own language group. The lone candidate of British origin was nominated in Papineau over 15 years ago and attracted only a scattering of votes. It might be noted, however, that Pontiac riding, which is not included in Table 7.13 on account of its merely marginal overlap with the territory of the National

1. See Maps 5A and 5B.

Map 7.6A

Linguistic Concentrations and Ontario
and Quebec Provincial Electoral Boundaries,
1952 to 1966, Ottawa Metropolitan Area

Map 7.6B

? / Linguistic Concentrations and Revised Ontario
Provincial Electoral Boundaries, 1966,
Ottawa Metropolitan Area

Table 7.13

National Capital Region, Quebec sector: candidates
at provincial elections by origin, 1952-1966

Origin	Total	Successful candidates	Unsuccessful candidates		
		Major parties*	Major parties*	Other parties*	Other
French	41	15	15	7	4
British	1	-	-	1	-
Other	-	-	-	-	-

Sources: name analysis, press reports.

* Major parties: Union Nationale and Liberals. Other parties: Cr ditistes, C.C.F. and N.D.P. Other: independents.

Capital Region, shows a striking contrast in its voting behaviour: in Pontiac all but one of the candidates nominated in the last five elections were apparently of British origin.

Representation and language usage. Because the language usage of the senior legislatures is largely shaped by factors external to the federal capital area, there is no need to describe it in full detail here. Yet, in studying elected municipal councils, a rather unexpected relationship was noted

between the pattern of representation and the recognition of the minority language: in a word, minority representation was found without language rights, and language recognition without representation. It is worth at least a brief look at language practices in the senior legislatures to see how far the same tendencies are visible there.

As we have noted, candidates in Quebec provincial ridings in the area have in recent years been almost exclusively of French-speaking background, and all successful candidates have been so. Nevertheless they sit in a legislature where the right to use either French or English is constitutionally guaranteed under Section 133 of the B.N.A. Act. Further, both languages must be used in the printing of statutes, records and journals, and the transcript of legislative debates publishes speeches in the language in which they are delivered, without translation. While actual debate in Quebec City is at present overwhelmingly in French, English is nevertheless used almost on a daily basis by a few members who doubtless find it more practical to express themselves in that language.

Of course the English-speaking population on the Quebec side of the capital area is relatively small. It may well feel that to seek representation in any of the provincial

seats is simply not feasible. Still, it is worth noting that no significant effort is made by the English-speaking community to seek direct representation, and that virtually no candidates of English mother tongue are put forward.

On the Ontario side of the capital area, where the French-speaking population is admittedly stronger both relatively and absolutely than the English-speaking minority on the Quebec side, approximately two out of seven candidates, and one out of three winning candidates, have been of French background in recent elections. By a comparison with population figures, it may be said that the French-speaking population has both sought and obtained representation at least proportionate to its numbers in the Ontario legislature.

On the other hand, the language usage of the Ontario legislature is based on no such constitutional guarantee as is found in Quebec. The statutes of Ontario, and the journals and records of the legislature, are published in English only. English is the sole official language of legislative debates, though in recent years practice has been changing informally so as to permit some use of French by the members, which is then reported in the published debates as spoken. However, these interventions are rather rare, and their purpose appears to be more symbolic than utilitarian.

Our findings as to the relationship between political recognition and recognition of language rights may be summarized as follows. At the municipal level, particularly in the three cities, there is a tendency for minority representation to be strongest where the minority language was less than fully recognized, and for minority representation to be less strongly sought for where the minority language was fully recognized. The provincial level reveals the same tendency, although here, with larger constituencies, it becomes more doubtful if the English-speaking minorities in the Quebec ridings are of a size to have any real alternatives. The federal level, with its well-developed system for accommodating the two languages, presents a pattern involving both recognition of language rights and representation of both major groups. However, this may arise because the pattern of linguistic representation generated at the municipal and provincial levels has some tendency to carry over to the federal level.

V Summary

The main conclusions that emerge from the study of political representation in the capital area are as follows.

1. In the three cities, the system of choosing aldermen according to geographical wards seems to have facilitated the election of minority representatives. The majority of the other municipal councils, and the Board of Control of the City of Ottawa, are elected at large by all voters of the municipality concerned. This would appear to make minority representation more difficult.
2. In Ottawa the French-speaking minority has availed itself fully of the electoral system to elect a number of aldermen almost proportional to the French-speaking population of the City. In Hull and Eastview the English-speaking minorities have shown a decreasing tendency to vote for or even nominate candidates drawn from their own linguistic group, even though in parts of Eastview at least the balance of numbers would appear to make this feasible.

3. Members of the Ottawa City Council are not generally bilingual, and as a reflection of this the language of discussion and of record on Council has been, with few exceptions, English.
4. The language of discussion and of record of the Hull Council is French, but matters involving English can be handled without translation.
5. In Eastview both languages are employed extensively on Council, the linguistic balance being promoted by the fact of predominantly French-speaking councillors operating within an English-speaking provincial framework.
6. The three other municipalities in the Ontario sector of the metropolitan area follow the pattern of Ottawa in using English almost exclusively in council meetings. On the Quebec side, Gatineau, Pointe-Gatineau and Templeton use French, while Aylmer, Lucerne, Deschênes and West Templeton tend to use both French and English.
7. In their relations with the public, all eight municipal Councils on the Quebec side appear to use both French and English, as does Eastview in Ontario. The other four Ontario Councils seem on the whole to make comparatively little provision for French.

8. Neither the provincial nor the federal constituency boundaries are arranged so as to coincide closely with the capital area, no matter how the latter is defined. From this standpoint, the recent redistribution of federal seats is particularly open to criticism.
9. At the federal level, an analysis of the six area constituencies for the last six federal elections shows that roughly two thirds of the successful candidates were of French mother tongue, a proportion well above that for the population of the constituencies concerned. This might, however, be affected in future elections by the redrawing of constituency boundaries in 1965.
10. At the provincial level, the Quebec side has elected only French-speaking representatives to a legislature where both English and French have full official status: on the Ontario side, English- and French-speaking representatives have been sent to a legislature where the use of French is unofficial and symbolic only.

11. The most striking relationship between political representation and linguistic usage that emerges is a somewhat paradoxical one: where the language of a minority group is not fully recognized, the group seeks political representation as far as the electoral system permits; where the minority language has full recognition, its speakers do not strive so actively for representation. This tendency can be discerned in pronounced fashion at the municipal level and to some degree at the provincial level as well.

Concluding Note

The above chapters complete that portion of the research findings which deals in the broadest sense with governmental relations. In the second part we propose to describe the situation of the capital area with respect to education, cultural activities, the mass media, and commercial life. Although the research in this field is substantially complete, the analysis of the data and the preparation of the report still will require considerable work.

Although it was not our original intention to publish the research findings in two stages, the discussion both in the press and in governmental circles in recent months as to the future governmental status of the capital area have led us to believe that the research data in this volume may be a useful contribution to the public understanding of a complex question. Volume II of the research findings will follow as soon as it can be completed.



MEMORANDUM

R. FRITH

CLASSIFICATION

4.

TO
ARecipients of federal
capital study
Volume I Chapter V

CAI Z 1

YOUR FILE No.
Votre dossier

-6310500

OUR FILE No.
Notre dossierFROM
De

K.D. McRae

DATE

September 29, 1967.

SUBJECT
Sujet

Supplementary data

The figures promised by the National Capital Commission concerning expropriation have now been obtained, and they may be added by inserting the attached page 5.24a in your text and deleting the first 5 lines on page 5.25. In addition please insert at the appropriate point pages 5.71a-71b.

Under the present scheme of things, the power to expropriate privately held land remains an important instrument of federal capital development. This can be illustrated statistically. In the period from February 1959 to August 1967 the National Capital Commission acquired through expropriation or purchase some 2413 parcels of land, of which 1538, or 64 per cent, were acquired by expropriation. It might be noted that the use of expropriation varies according to the nature of the project for which the land is required. The assembly of land for Gatineau Park and the Green Belt was carried out to a very considerable extent by purchase; that for the new bridge approaches and for the LeBreton Flats project was done entirely by expropriation. Approximately five out of every six parcels acquired in this period were on the Ontario side, and expropriation was used proportionally more in Ontario than in Quebec (65 per cent of the Ontario parcels against 57 per cent of those in Quebec.) ¹

1. Figures supplied by the National Capital Commission. A full tabulation by province and project is given in Appendix 5.IA below. (p. 5.71a-71.b)

APPENDIX 5.IA

Acquisition of properties by the
National Capital Commission,
1959 - 1967

Source: figures supplied by the
National Capital Commission

Number of parcels expropriated and purchased by the National Capital Commission in Quebec and Ontario, by Project, February 1959 to August 31, 1967.

QUEBEC

Project	Number of Parcels		Purpose
	Exprop.	Purchase	
Gatineau Park	13	156	park & parkway
Northern Entrance, Route #11	27	9	highway right-of-way
Deschênes-Britannia Bridge	115	-	bridge approach & pkwy.
Macdonald-Cartier Bridge	50	-	bridge approach
Philemon Wright	15	-	parkway
Railway relocation	1	-	railway connection
Lucerne Parkway	-	2	parkway
TOTALS	221	167	

ONTARIO

Project	Number of Parcels		Purpose
	Exprop.	Purchase	
Ottawa River Parkway - West	4	8	parkway
East	49	-	parkway
Macdonald-Cartier Bridge	118	-	bridge approach & government bldg. site
Sussex Drive	24	-	historic
Stanley-Mackay	29	-	government bldg. site
LeBreton Flats	283	-	& park
Victoria Island - Richmond Land.	3	1	government bldg. sites
Colonel By Drive	3	1	& parkway
Queensway	37	80	historic & park
Confederation Square	16	3	parkway
Eastern Parkway	2	3	highway right-of-way
Western Parkway	4	3	government bldg. sites
Rideau River	-	2	parkway - Rideau River Crossing
Railway Relocation	-	1	parkway - Rideau River Crossing
Miscellaneous	-	3	Park
Greenbelt	745	603	railway connection
TOTALS	1317	708	



TO
A

MEMORANDUM

R. FRITH

CLASSIFICATION

Commissioners

CA121

-63 B500

YOUR FILE No.
Votre dossier

OUR FILE No.
Notre dossier

FROM
De

K.D. McRae

DATE

September 21, 1967

FOLD

SUBJECT
Sujet

Federal Capital study, Research Findings,
Volume I, Chapters V to VII

Please find attached the final instalment of the first Volume of Research Findings. In accordance with your previous decision, we hope that these seven chapters comprising Volume I can proceed as rapidly as possible to publication.

It might be noted (1) that Chapter VI, previously issued to you, is distributed now in proper sequence for your convenience; (2) that certain maps and charts, which are missing from Chapter VII, are already in the hands of cartographers in the Geography Department at McGill.

The second Volume of Research Findings, probably consisting of six Chapters, is being brought along in the same fashion. Four Chapters are in process of revision while two remain to be considered. It may, however, be some time before the next group of chapters can be distributed to you in final form. In view of our very crowded timetable and slender staff resources, I cannot at this stage name any realistic deadline for Volume II. I would urge, however, that the first Volume is likely to be much more significant in relation to discussions about the future status of the Ottawa area than is the second, because Volume I concentrates on the administrative, legal, and political arrangements.

